

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1199.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF TOMATO CATSUP.

On December 19, 1910, the United States Attorney for the District of Indiana, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 475 cases of tomato catsup, in the possession of Bement-Rea Co., Terre Haute, Ind. Each of the cases was labeled: "2 Doz. No. 14 M. B. Keystone Tomato Catsup, Bement-Rea Company, Terre-Haute, Ind." Each of the bottles in said cases was labeled: "Keystone Brand Tomato Catsup, put up for Bement-Rea Company, Terre Haute, Ind."

Examination of samples of said consignment by the Bureau of Chemistry of the United States Department of Agriculture showed said product to contain yeasts and spores 90 per one-sixtieth cmm., bacteria 200 million per cc., mold filaments present in 75 per cent of the microscopic fields examined. The libel alleged that the tomato catsup, after transportation from the State of Ohio into the State of Indiana, remained in the original unbroken packages, and was adulterated, in violation of the Food and Drugs Act of June 30, 1906, because it consisted in whole or in part of a filthy, putrid, or decomposed animal or vegetable substance, and was therefore liable to seizure for confiscation.

The cause coming on to be heard, and it appearing that J. Weller Co. had appeared as claimants of said product, and filed answer to the libel, the court found the said product adulterated, as alleged in the libel, and that the United States was entitled to a decree of condemnation and forfeiture, as prayed for in the libel. Accordingly decree was entered condemning and forfeiting the goods to the United States, and ordering their destruction by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 9, 1911.*



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Examination of samples of said consignment by the Bureau of Chemistry of the United States Department of Agriculture showed said product to contain yeasts and spores 90 per one-sixtieth cmm., bacteria 200 million per cc., mold filaments present in 75 per cent of the microscopic fields examined. The libel alleged that the tomato catsup, after transportation from the State of Ohio into the State of Indiana, remained in the original unbroken packages, and was adulterated, in violation of the Food and Drugs Act of June 30, 1906, because it consisted in whole or in part of a filthy, putrid, or decomposed animal or vegetable substance, and was therefore liable to seizure for confiscation.

The cause coming on to be heard, and it appearing that J. Weller Co. had appeared as claimants of said product, and filed answer to the libel, the court found the said product adulterated, as alleged in the libel, and that the United States was entitled to a decree of condemnation and forfeiture, as prayed for in the libel. Accordingly decree was entered condemning and forfeiting the goods to the United States, and ordering their destruction by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 9, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1200.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF CIDER VINEGAR.

On November 7, 1910, the United States Attorney for the District of Indiana, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of one barrel of cider vinegar, in the possession of W. D. Huffman, of Indianapolis, Ind. The product was labeled: "Guaranteed Cider Vinegar, 6 per centum, Spielmann Bros. Co., Mfrs."

Analysis of a sample of said product, made by the Bureau of Chemistry, United States Department of Agriculture, showed the following results:

	Grams per 100 cc.
Solids.....	2.27
Nonsugar solids.....	1.46
Reducing sugar direct.....	.84
Polarization direct, temperature 20° C.....	-1.5
Ash.....	.45
Alkalinity of soluble ash (cc. N/10 acid 100 cc.).....	54.0
Soluble phosphoric acid (mgs. per 100 cc.).....	24.4
Insoluble phosphoric acid (mgs. per 100 cc.).....	8.4
Acid, as acetic.....	6.10
Fixed acid, as malic.....	Trace.
Lead precipitate.....	Medium and clear.
Color, degrees, brewer's scale (0.5 in. cell).....	7.0
Color removed by fuller's earth (per cent).....	60
Spectroscope shows potassium very heavy, sodium light, and calcium trace.	
Ratio, ash to nonsugars.....	1:3.2
Pentosans.....	.14
Glycerin.....	.13

The libel alleged that the said vinegar, after transportation from the State of Illinois into the State of Indiana, remained in the original

unbroken package, and was adulterated and misbranded, in violation of the Food and Drugs Act of June 30, 1906, and was therefore liable to seizure for confiscation. Adulteration was alleged for the reason that a substance, to wit, dilute acetic acid, or distilled vinegar, had been mixed and packed with the product so as to reduce or lower or injuriously affect its quality and strength, and had been substituted in part for said article. Misbranding was alleged for the reason that the label represented said product to be cider vinegar, which was false and misleading, because said vinegar was not cider vinegar, but a mixture containing dilute acetic acid or distilled vinegar.

On January 27, 1911, the cause coming on for hearing, and no one having appeared as claimant, the court found the said vinegar to be adulterated and misbranded, as alleged in the libel, and that the United States was entitled to a decree of condemnation as prayed for. Accordingly, a decree was entered on said day, condemning and forfeiting the product to the United States and ordering the public sale of same by the marshal, to the highest bidder, after having obliterated all marks, brands, and labels appearing on said barrel, in violation of the provisions of the Food and Drugs Act.

JAMES WILSON.

Secretary of Agriculture.

WASHINGTON, D. C., *November 10, 1911.*

INDEX TO NOTICES OF JUDGMENT 1001 TO 1200.¹

Arranged under heads: Foods (p. 3); Beverages, including waters and medicated soft drinks (p. 6); Drugs (p. 6).]

FOODS.

	N. J. No.		N. J. No.
Alaga Alabama-Georgia sirup:		Crystal eggs. (<i>See</i> Eggs, Crystal.)	
Alabama-Georgia Syrup Co.....	1187	Currant preserves. (<i>See</i> Preserves, Currant.)	
Almond extract. (<i>See</i> Extract, Almond.)		Desiccated eggs. (<i>See</i> Eggs, Desiccated.)	
Apple and sugar, Preserved peach:		Egg color:	
St. Louis Syrup & Preserving Co.....	1038	Wood & Selick.....	1103
Apple cider vinegar. (<i>See</i> Vinegar.)		Egg noodles. (<i>See</i> Noodles, Egg.)	
Banana extract. (<i>See</i> Extract, Banana.)		Egg product:	
Black olives. (<i>See</i> Olives.)		St. Louis Crystals Egg Co.....	1108
Blackberry jam. (<i>See</i> Jam, Blackberry.)		Eggs, Crystal:	
Blueberries:		St. Louis Crystals Egg Co.....	1100, 1102
Henderson, W. S.....	1154	Eggs, Desiccated:	
Russell, Edward T., & Co.....	1154	Armour & Co.....	1005
Bran, Corn:		Crandall Petee Co.....	1143
Bradley Bros.....	1071	Meyers & Hicks.....	1174
Butter:		National Bakers Egg Co.....	1185
Pond, S. P., Co. (Inc.).....	1018	Weaver, C. H., & Co.....	1074
Butter, Cane and maple sugar:		Eggs, Frozen:	
Marshalltown Syrup & Sugar Co.....	1121, 1122	Bennett Howard Co.....	1116
Butter, Wisconsin creamery. (<i>See</i> Oleomargarin.)		Kalchheim, Henry, & Co.....	1046
Cane and maple sugar butter:		Keith, H. J., Co. (Inc.).....	1027
Marshalltown Syrup & Sugar Co.....	1121, 1122	Eggs, Preserved whole:	
Catsup. (<i>See</i> Tomato ketchup.)		Hipolite Egg Co.....	1043 (suppl. to 508)
Cheese:		Essence, Coffee. (<i>See</i> Coffee essence.)	
Algoma Produce Co.....	1002	Essences. (<i>See</i> Extracts.)	
Barber, A. H. & Co.....	1186	Evaporated milk. (<i>See</i> Milk, Evaporated.)	
Novato French Cheese Factory.....	1168, 1169	Extract, Almond:	
Stevens, S. J., & Co.....	1183	Forbes, James H., Tea & Coffee Co.....	1057
Wieland Bros.....	1148, 1168, 1169	Extract, Almond (bitter):	
Cider vinegar. (<i>See</i> Vinegar.)		Christiani Drug Co. (Inc.).....	1126
Coffee essence:		Extract, Banana:	
Zverina, A.....	1189	Forbes, James H., Tea & Coffee Co.....	1057
Color, Egg. (<i>See</i> Egg color.)		Extract Ginger:	
Color, Green cake:		Forbes, James H., Tea & Coffee Co.....	1057
Forbes, James H., Tea & Coffee Co.....	1057	Extract, Lemon:	
Color, Red cake:		Carpenter-Cook Co.....	1147
Forbes, James H., Tea & Coffee Co.....	1057	Christiani Drug Co. (Inc.).....	1126
Color, Yellow cake:		Compton, Charles.....	1029
Forbes, James H., Tea & Coffee Co.....	1057	Cook, Charles I.....	1147
Condensed milk. (<i>See</i> Milk, Condensed.)		Dennery, Charles.....	1183
Corn bran. (<i>See</i> Bran, Corn.)		Michigan Refining & Preserving Co.....	1147
Corn flakes, Sugar:		Extract, Orange:	
Grain Products Co.....	1042	Forbes, James H., Tea & Coffee Co.....	1057
Scudders-Gale Grocer Co.....	1042	Extract, Peach:	
Corn meal:		Forbes, James H., Tea & Coffee Co.....	1057
Booth, B. D., & Co.....	1198	Extract, Peppermint:	
Cottonseed meal:		Christiani Drug Co. (Inc.).....	1126
Wells, J. Lindsay, Co.....	1109	Extract, Pineapple:	
Cream:		Forbes, James H., Tea & Coffee Co.....	1057
Mainhart, Charles C.....	1138	Extract, Pistachio:	
Thompson, William M.....	1160	Western Candy & Bakers Supply Co....	1041
"Creme wafels":		Extract, Raspberry:	
De Boer & Dik.....	1039	Forbes, James H., Tea & Coffee Co.....	1057

¹ For index of Notices of Judgment 1-1000 see Notice of Judgment 1000; future indexes to be supplementary thereto.

FOODS—Continued.

	N. J. No.		N. J. No.
Extract, Rose geranium:		Milk—Continued.	
Forbes, James H., Tea & Coffee Co.	1057	Bobke Chris.	1083
Extract, Strawberry:		Coffee, James F.	1083
Forbes, James H., Tea & Coffee Co.	1057	Cox, James.	1083
Extract, Vanilla:		Hudson, Leonard.	1083
Christiani Drug Co. (Inc.)	1126	Koechlin, E. J.	1083
Compton, Charles.	1029	McAvoy, Dan.	1083
Eddy & Eddy Mfg. Co.	1118	Null, Wm. C.	1133
Manhattan Importing Co.	1150	Orme, Wm. H., jr.	1134
Pan American Mfg. Co.	1158	Oser, Charles.	1083
Righter Mfg. Co.	1061	Plump, J. T.	1083
St. Louis Coffee & Spice Mills.	1099	Regel, Henry.	1092
Star Extract Works.	1104	Rounds, E. R.	1130
Warner-Jenkinson Co.	1166	Schuck, A. H.	1083
Weston, Edward, Tea & Spice Co.	1096	Schuck, Jerome.	1083
Extract, Wintergreen:		Schulte, L. H.	1083
Christiani Drug Co. (Inc.)	1126	Shorten, J. W.	1129
Feeds, Hammond Dairy:		Smith, Charles E.	1083
Western Grain Products Co.	1094	Smith, Howard L.	1161
Feeds, Peerless:		Walter, Chas. A.	1132
Smith, J. Allen, & Co. (Inc.)	1141	Zimmerman, Benjamin F.	1131
Feeds, Peerless horse:		Milk, Condensed:	
Kidder, F. L., & Co.	1176	Delavan Condensed Milk Co.	1028
Feeds. (See also Middlings; Oats.)		Libby, McNeill, & Libby.	1117
Fish. (See Shad.)		White Hall Condensed Milk Co.	1069
Flavor. (See Extract.)		Milk, Evaporated:	
Frozen eggs. (See Eggs, Frozen.)		Faultless Condensed Milk Co.	1052
Fruit jelly. (See Jelly, Fruit.)		M. & O. Milk Co.	1114
Fruit sirups (See Sirups.)		Milk, Powdered:	
Gelatin:		Tulin, William J.	1033
Chalmers', James, Sons.	1127, 1128	Mince meat:	
Ginger extract. (See Extract, Ginger.)		Brenneman, W. H.	1067
Hammond dairy feed:		Moyune brand extracts:	
Western Grain Products Co.	1094	Forbes, James H. Tea & Coffee Co.	1057
Honey:		Mushrooms:	
Deiser, Albert A., & Co.	1123	Arbuckle & Co.	1037
Hotch, Vermont maple butter:		Noodles, Egg:	
Maple Tree Sugar Co.	1164	Maas Baking Co.	1181
Ice cream cones:		Northern Ohio sugar:	
Consolidated Wafer Co. (Inc.)	1073	Standard Syrup Co.	1101
Jam, Blackberry:		Nutmegs:	
National Pickle & Canning Co. (Dodson-Braun Branch).	1097	German, Lewis, & Co.	1180
Jelly, Fruit:		Oats:	
Scully D. B., Syrup Co.	1172	Grier, T. A., & Co.	1165
Ketchup. (See Tomato ketchup.)		Logan, Thomas M.	1171
Macaroni:		Wells, Jos. L.	1146
Youngstown Mfg. Co.	1145	Oil. (See Olive oil.)	
Maple butter hotch, Vermont:		Oleomargarin:	
Maple Tree Sugar Co.	1164	Steele, Jesse A.	1115
Maple sugar:		Wisconsin Creamery Co.	1115
Brokaw Merchandise Co.	1015	Olive oil:	
Standard Syrup Co.	1101	Carrao, Francesco.	1155
Maple sugar butter, Cane and:		Cusimano & Tujague Co.	1062
Marshalltown Syrup & Sugar Co.	1121, 1122	Tujague, Leon.	1062
Meal (See Corn meal; Cottonseed meal.)		Olives:	
Middlings:		Psiaki, Alco G.	1047, 1048
Model Mill Co. (Inc.)	1142	Orange extract. (See Extract, Orange.)	
Milk:		Orange sirup. (See Sirup, Orange.)	
Barnesley, George H.	1136	Oysters:	
Bayliss, George H.	1137	Decker, Garrett F., & Co.	1192
Boberink, Henry A.	1083	Paprika:	
		Atlantic & Pacific Tea Co.	1066
		McCormick & Co.	1153

FOODS—Continued.

	N. J. No.		N. J. No.
Peach, apple, and sugar, Preserved:		Tomato ketchup—Continued.	
St. Louis Syrup & Preserving Co.....	1035	Edler, Fred C.....	1054
Peach extract. (<i>See</i> Extract, Peach.)		Frazier Packing Co.....	1162, 1163, 1175
Peerless feed:		Harbauer-Marleau Co.....	1034
Smith, J. Allen, & Co. (Inc.).....	1141	Huss-Edler Preserve Co.....	1054
Peerless horse feed:		Leroux Cider & Vinegar Co.....	1095
Kidder, F. L., & Co.....	1176	McCord-Brady Co.....	1034
Pepper:		McMechen Preserving Co.....	1080
Eddy & Eddy Mfg. Co.....	1118	National Pickle & Canning Co. (Dodson- Braun Branch).....	1072, 1098
Pepper, Cayenne:		Philadelphia Pickling Co.....	1075
Hanley & Kinsella Coffee & Spice Co....	1013	Polk, J. T., Co.....	1090
Peppermint extract. (<i>See</i> Extract, Pepper- mint.)		Soper, A. C., & Co.....	1055
Pineapple extract. (<i>See</i> Extract, Pineapple.)		Spraul, George, Packing Co.....	1044
Pistachio extract. (<i>See</i> Extract, Pistachio.)		Weller, H. N., & Co.....	1196
Preserved peach, apple, and sugar:		Weller, J., Co.....	1199
St. Louis Syrup & Preserving Co.....	1038	Tomato ketchup, Oyster Bay Brand:	
Preserves, currant:		1085
Flaccus, E. C., Co.....	1081	Tomato ketchup, Pioneer Brand:	
Raspberry extract. (<i>See</i> Extract, Rasp- berry.)		1086
Raspberry sirup. (<i>See</i> Sirup, Raspberry.)		Tomato paste:	
Rice:		Horner, Henry & Co.....	1008
Alliance Rice & Milling Co.....	1177	Polinsky, H.....	1001
Cormier, Chas. E., Rice Co.....	1177	Roncoroni, Pietro, Co.....	1053, 1065
Griggs, Cooper & Co.....	1177	Tomato pulp:	
Louisiana Molasses Co.....	1030	Ayars, B. S., & Sons Co.....	1064
Rose geranium extract. (<i>See</i> Extract, Rose geranium.)		Lord-Mott Co.....	1107
Shad:		Tomato puree:	
.....	1087	New Blue Grass Canning Co.....	1106
.....	1088	Tomatoes:	
Claxton, Richard W.....	1021	Polk, J. T., Co.....	1090
Sirup, Alaga Alabama-Georgia:		Vanilla extract. (<i>See</i> Extract, Vanilla.)	
Alabama-Georgia Syrup Co.....	1157	Vermont maple butter hotch:	
Sirup, Orange (blood):		Maple Tree Sugar Co.....	1164
Stewart & Holmes Drug Co.....	1156	Vinegar:	
Sirup, Raspberry:		1036
Stewart & Holmes Drug Co.....	1156	Board, Armstrong & Co.....	1023
Sodic aluminic sulphate:		Callahan, A. P., & Co.....	1151
Superior Chemical Co.....	1105	Chandler, B. T., & Son.....	1050, 1059
Strawberry extract. (<i>See</i> Extract, Straw- berry.)		Erdmann's, H., Sons.....	1184
Sugar corn flakes:		Harbauer-Marleau Co.....	1193
Grain Products Co.....	1042	Oakland Vinegar & Pickle Co.....	1060
Scudders-Gale Grocer Co.....	1042	Queen City Cider Vinegar Mfg. Co.....	1110
Sugar, Maple. (<i>See</i> Maple sugar.)		Sharp Elliott Mfg. Co.....	1007
Sugar, Northern Ohio:		Spielmann Bros. Co.....	1159, 1200
Standard Syrup Co.....	1101	Vermont Fruit Co.....	1167
Sulphate, Sodic aluminic:		Wilson, W. J., & Son.....	1119, 1120
Superior Chemical Co.....	1105	Zinke Mercantile Co.....	1050
Tomato ketchup:		Wafels, Creme:	
Anderson Canning Co.....	1004	De Boer & Dik.....	1039
Blue Grass Canning Co.....	1195	Wheat:	
Burlington Vinegar & Pickle Co.....	1003	Hal. Baker Grain Co.....	1135, 1173
Chance's, R. C., Sons.....	1006	Walker Grain Co.....	1173
		Wintergreen extract. (<i>See</i> Extract, Winter- green.)	

BEVERAGES, INCLUDING WATERS AND MEDICATED SOFT DRINKS.

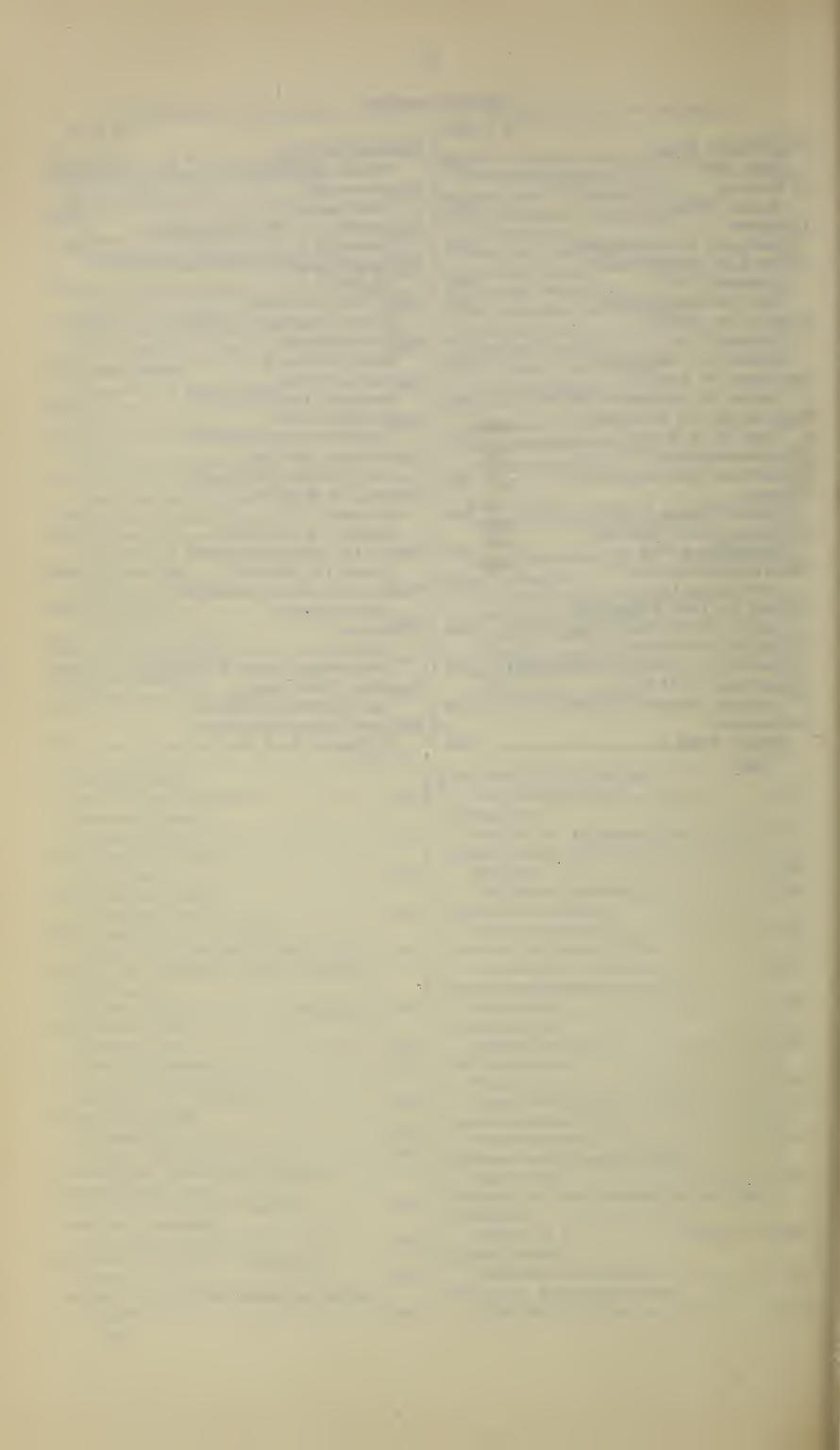
	N. J. No.		N. J. No.
Champagne. (<i>See</i> Wine, Champagne.)		Special wild cherry soda water flavor:	
Cherry soda water flavor, Special wild:		Blue Seal Supply Co.....	1040
Blue Seal Supply Co.....	1040	Tamarind sirup. (<i>See</i> Sirup, Tamarind.)	
Coffee:		Tate Spring natural mineral water:	
Brokaw Merchandise Co.....	1014	Tate Spring Co.....	1140
Climax Coffee & Baking Powder Co.....	1017	Tomlinson, Oscar R.....	1140
(suppl. to 55)		Water, Royal lithia:	
International Coffee Co.....	1190, 1191	Anderson, William H.....	1032
Israel, Leon, & Bros.....	1084	Water, Tate Spring natural mineral:	
McLaughlin, W. F., & Co.....	1112	Tate Spring Co.....	1140
Wilde's, Samuel, Sons Co.....	1125	Tomlinson, Oscar R.....	1140
Gin, Mobile Buck:		Water, Whittle's epsom-lithia:	
Blumenthal & Bickert (Inc.).....	1089	Whittle Springs Co.....	1139
Ginger ale:		Whisky:	
Beaufont Lithia Water Co.....	1026	McCormack, J. A.....	1111
Grape juice:		Whittle's epsom-lithia water:	
Flickinger, S. M., Co.....	1045	Whittle Springs Co.....	1139
Granger, W. H., & Co.....	1045	Wine:	
Grape Products Co. (Inc.).....	1045	Dorn, John G.....	1016 (suppl. to 83)
Plimpton, Cowan & Co.....	1045	Schmidt, A., jr., & Bros. Wine Co.....	1016
Mobile Buck Gin:		(suppl. to 83)	
Blumenthal & Bickert (Inc.).....	1089	Sweet Valley Wine Co.....	1016 (suppl. to 83)
Royal lithia water:		Wine, Champagne:	
Anderson, William H.....	1032	Bardenheier, John, Wine & Liquor Co... 1144	
Sirup, Tamarind:		Diamond Wine Co. (Inc.).....	1144
Bernogozzi, W. P.....	1082	Finke's, A., Widow.....	1020
Soda water flavor, Cherry:		Groezinger, Emile A.....	1020
Blue Seal Supply Co.....	1040	Ripin & Co.....	1149
Soda water sirup cola:		Schraubstadter, Ernest.....	1020
Hutchinson, W. H., & Son.....	1031		

DRUGS.

	N. J. No.		N. J. No.
Antikamnia tablets:		Dixie fever and pain powder:	
Antikamnia Chemical Co.....	1056	Morris-Morton Drug Co.....	1178
Asthma cure, Stello's:		Epilepsy cure:	
Muller, William H.....	1179	Peeble's, Dr., Institute of Health (Ltd.).. 1079	
Baby's Friend, Kopp's:		Epilepsy remedy, Dr Lindley's:	
Kopp, Mrs. J. A.....	1068	Hollowell, A. K.....	1093
Bitters (Fernet Milano):		New Vienna Medicine Co.....	1093
Italian Importing Co.....	1152	(Fernet milano) bitters:	
Brain Restorative, Dr. Peeble's:		Italian Importing Co.....	1152
Peeble's, Dr., Institute of Health (Ltd.).. 1079		Fever and pain powder, Dixie:	
Cancer, Dr. Johnson's mild combination treatment for:		Morris-Morton Drug Co.....	1178
Johnson, O. A.....	1058 (suppl. to 266)	Gessler's magic headache waters:	
Catarrh cure, Hall's:		Gessler, Max.....	1051
Cheney, F. J.....	1182	Gum, Chewing:	
Cheney Medicine Co.....	1182	Sterling Remedy Co.....	1078
Cough drops, Williams' Russian:		Hall's catarrh cure:	
Williams, J. D., & Bro. Co.....	1197	Cheney F. J.....	1182
Cerrodanie capsules:		Cheney Medicine Co.....	1182
Cerrodanie Co.....	1025	Headache powers, Peck's:	
Jameson, Samuel H.....	1025	Peck-Johnson Co.....	1157
Chewing gum. (<i>See</i> Gum, Chewing.)		Headache waters, Gessler's magic:	
Cholera mixture, Sun:		Gessler, Max.....	1051
Merchants' Drug Corporation.....	1063	Johnson's, Dr., mild combination treatment for cancer	
Colocynth. Powdered:		Johnson, O. A.....	1058 (suppl. to 266)
Woodward, Allaire, & Co.....	1012	Kamala, ground:	
Detchon's, Dr., relief for rheumatism:		Woodward, Allaire & Co.....	1011
Detchon, I. A.....	1091	Kline's, Dr., great nerve restorer:	
Detchon's, Dr., relief for rheumatism tablets:		Kline, Dr. R. H., Co.....	1070
Detchon, I. A.....	1091		

DRUGS—Continued.

	N. J. No.		N. J. No.
Kopp's Baby's Friend:		Radio-sulpho brew:	
Kopp, Mrs. J. A.....	1063	Schuch, Philip, jr.....	1049
La Sanadora:		Rheumatic cure:	
Romero, Benigo.....	1076	Fitch Remedy Co.....	1024
Laudanum:		Rheumatism, Dr., Detchon's relief for:	
Merchants' Drug Corporation.....	1063	Detchon, I. A.....	1091
Lindley's, Dr., epilepsy remedy:		Rheumatism tablets, Dr. Detchon's relief for:	
Hollowell, A. K.....	1093	Detchon, I. A.....	1091
New Vienna Medicine Co.....	1093	Senna, Alex., Powdered:	
Moffett's, Dr., Teethina:		Huber & Fuhrman Drug Mills.....	1009, 1010
Flourney, T. N.....	1019	Stello's asthma cure:	
Moffett, C. J., Medicine Co.....	1019	Muller, William H.....	1179
Nerv-Tonic, Dr. Peeble's:		Sun cholera mixture:	
Peeble's, Dr., Institute of Health (Ltd.).....	1079	Merchants' Drug Corporation.....	1063
Nerve restorer, Dr. Kline's great:		Sweet spirits of nitre:	
Kline, Dr. R. H., Co.....	1070	Merchants' Drug Corporation.....	1063
Nitre, Sweet spirits of:		Sweet's honey vermifuge:	
Merchants' Drug Corporation.....	1063	Ven Vleet-Mansfield Drug Co.....	1113
Oxidine:		Teethina, Dr. Moffett's:	
Patton-Worsham Drug Co.....	1035	Flourney, T. N.....	1019
Pain powder, Dixie fever and:		Moffett, C. J., Medicine Co.....	1019
Morris-Morton Drug Co.....	1178	Towns', Dr., epilepsy treatment:	
Peck's headache powders:		Towns', Dr., Medical Co.....	1170
Peck-Johnson Co.....	1157	Tucker's, Dr., specific for asthma:	
Peeble's, Dr., Brain Restorative:		Tucker, Nathan.....	1077
Peeble's, Dr., Institute of Health (Ltd.).....	1079	Turpentine:	
Peeble's, Dr., Nerv-Tonic:		Gilman, Z. D.....	1022
Peeble's, Dr., Institute of Health (Ltd.).....	1079	Pennsylvania Alcohol & Chemical Co....	1124
Peroxid cream, A. D. S.:		Vermifuge, Sweet's honey:	
American Druggists Syndicate.....	1194	Van Vleet-Mansfield Drug Co.....	1113
Radio-sulpho:		Williams' Russian cough drops:	
Schuch, Philip, jr.....	1049	Williams, J. D., & Bro. Co.....	1197



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1201.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF TOMATO CATSUP.

On December 19, 1910, the United States Attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 575 cases and 100 crates of tomato catsup, in the possession of Hulman & Co., Terre Haute, Ind. The cases containing said catsup were each labeled: "2 Doz. No. 14 Crystal Tomato Catsup—Hulman Company, Terre Haute, Ind." Each of the bottles containing the said product was labeled: "Crystal Brand Tomato Catsup—Put up for Hulman & Co., Terre Haute, Ind., * * * Ingredients, Sugar, Salt, Vinegar, Cloves, Allspice, Cayenne Pepper, Onions, Tomatoes."

Analysis of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results:

Total solids (per cent).....	(14.69)	15.27
Insoluble solids (per cent).....	(1.70)	1.73
Ratio, insoluble to soluble solids.....	(1:7.6)	1:7.3
Total acid, as acetic (per cent).....	(.70)	.70
Total ash (per cent).....	(2.62)	2.67
Alkalinity of ash (cc N/10 acid per 1 gram of sample).....	(.61)	.67
Reducing sugars after inversion.....	(13.16)	11.12
Polarization after inversion.....	(-2.8)	-2.8
Preservatives.....		None.
Sand (per cent).....		.003
Settling test.....	(218)	224
Odor offensive; seems decomposed.		
Volatile acids, as acetic (per cent).....		.55

(Results in parentheses were made on a second bottle.) Microscopical Examination. No evidence of active spoilage when opened. Yeasts and spores 95 per one-sixtieth cmm, bacteria 150,000,000 per cc, mold filaments in 95 per cent of the fields.

The libel alleged that the product, after transportation from the State of Ohio into the State of Indiana, remained in the original unbroken packages, and was adulterated in violation of the Food and Drugs Act of June 30, 1906, because it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance, and was therefore liable to seizure for confiscation.

On February 20, 1911, the cause coming on to be heard, and it appearing to the court that J. Weller Co. had intervened as claimant and owner, and filed answer to said libel, the court found the said product adulterated as alleged in the libel, and that the United States was entitled to a decree of condemnation as prayed for. Accordingly, a decree was entered on that day ordering the destruction of said product at the hands of the marshal, and that the J. Weller Co. pay all costs of the proceedings.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 10, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1202.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF SHELLED EGGS.

On December 15, 1910, the United States Attorney for the District of Indiana, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 10 cases of shelled eggs, in the possession of M. Aronson, at Gary, Ind. The cases containing said product were labeled: "Ad. Newman & Son—Commission Merchant—Butter, Eggs, Cheese, Poultry and Veal—853 Randolph St., Chicago, Ill."

Examination of a sample of said product by the Bureau of Chemistry, United States Department of Agriculture, showed that 62.5 per cent were spot eggs, and 37.5 per cent fair eggs and passable. The libel alleged that the product, after transportation from the State of Illinois into the State of Indiana, remained in the original unbroken packages, and was adulterated in violation of the Food and Drugs Act of June 30, 1906, because it consisted in whole or in part of a filthy, decomposed, and putrid animal substance, and was therefore liable to seizure for confiscation.

On March 8, 1911, said cause coming on to be heard, and no one having appeared as claimant, the court found the said product to be adulterated as alleged in the libel, and that the United States was entitled to a decree of condemnation. Accordingly a decree was entered on that day, condemning and forfeiting the goods to the United States and ordering their destruction by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 11, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1203.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF PHOSPHATE.

On March 7, 1911, the United States Attorney for the District of Indiana, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 100 barrels of phosphate, in the possession of Hulman & Co., Terre Haute, Ind. The product was labeled: "Provident Chemical Works, 300 lbs., O. K., St. Louis, Guaranty Legend, Serial No. 381."

Analysis of a sample of said product by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Microscopical examination: corn starch present; fluorides, very slight etching with 5 grams.; Gutzeit test for arsenic, strongly positive; arsenic, 75 parts per million. The libel alleged that the product, after transportation from the State of Missouri into the State of Indiana, remained in the original unbroken packages, and was adulterated in violation of the Food and Drugs Act of June 30, 1906, in that it contained an added poisonous ingredient, to wit, arsenic, which rendered said product injurious to health, and there had been mixed and packed with it a certain substance, to wit, corn starch, which reduced and lowered its quality and strength, and that said product was therefore liable to seizure for confiscation.

On May 13, 1911, the cause coming on for hearing, and it appearing to the court that the Provident Chemical Works, a corporation, had intervened as claimant, and filed answer, the court found the said product adulterated as alleged in the libel, and that the United States

was entitled to a decree of condemnation. Accordingly a decree was entered on that day, condemning and forfeiting the goods to the United States, and ordering their destruction by the marshal, but with the proviso that upon the payment of all costs and the giving of a bond by said claimant, in the sum of \$1,000, conditioned that said product should not again be sold contrary to law, that same should be released to the claimant.

WILLIS L. MOORE,
Acting Secretary of Agriculture.

WASHINGTON, D. C., November 13, 1911.

1203

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United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1204.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF CLOVES.

On June 15, 1910, the United States Attorney for the Northern District of Georgia, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 48 boxes of "whole cloves," in the possession of Kelly Bros. Co., Atlanta, Ga. Each of the boxes containing said product was labeled: "Whole Cloves—Two lbs.," and were invoiced as "Fifty 2 lb. boxes Whole Cloves."

The entire consignment was weighed by an inspector of the Bureau of Chemistry of the United States Department of Agriculture, who found that none of the units in said consignment weighed 2 pounds as indicated on the label, but that each box was short in weight from 4 to 8 ounces. The libel alleged that the said product, after shipment by Farrington Whitney, New York, N. Y., from the State of New York into the State of Georgia, remained in the original unbroken packages and was misbranded in violation of the Food and Drugs Act of June 30, 1906, and was therefore liable to seizure for confiscation. Misbranding was alleged for the reason that said product was in package form and the labels thereon represented the contents to be 2 pounds, which representation was false and misleading because the contents were less than 2 pounds.

On April 6, 1911, the case coming on to be heard, the court found the product misbranded as alleged and that the United States was entitled to a decree of condemnation as prayed for in the libel. Accordingly a decree was entered on that day, condemning and forfeiting the product to the United States and ordering its destruction by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 13, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1205.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF BLACKBERRY CORDIAL.

On July 14, 1911, the United States Attorney for the District of Minnesota, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of one barrel of Blackberry Cordial in the possession of L. W. Leithhead Drug Co., Duluth, Minn. The barrel was labeled: "Blackberry Cordial Mch. April, 1910 Apr P 00 J. F. Hennebery U. S. Gauger 7 Dist. Ill. Guaranteed under the Food and Drugs Act June 30, 1906 Serial No. 21913 Arrow Distilleries Co. Rectifiers and Wholesale Liquor Dealers Peoria, Ill. X X Blackberry Cordial Artificially Colored."

An analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

	Grams per 100 cc.
Specific gravity at 15.6° C./15.6° C.....	1.13589
Alcohol (per cent, by volume).....	7.13
Solids, by specific gravity.....	37.89
Sucrose, by copper.....	.74
Reducing sugars direct.....	34.33
Reducing sugars invert.....	35.11
Ash.....	.42
Polarization direct at 20° C.....	7.0
Polarization invert at 20° C.....	6.2
Polarization invert at 87° C.....	11.6
Sodium benzoate.....	0.0
Nonsugar solids.....	2.82
Total for erythrodextrin.....	Negative.
Alkalinity of water soluble ash (cc).....	21.6
Total P ₂ O ₅ (mg).....	14.8
Chlorin as NaCl.....	.20
Total tartaric acid, less than.....	.025
Color.....	Caramel.

The libel alleged that the product, after shipment by the Arrow Distilleries Co., Peoria, Ill., from the State of Illinois into the State of Minnesota, remained in the original unbroken package and was adulterated and misbranded in violation of the Food and Drugs Act of June 30, 1906, and was therefore liable to seizure for confiscation. Adulteration was alleged because a substance, to wit, starch sugar, had been substituted wholly or in part for the article and because it had been artificially colored in a manner whereby the inferiority of the article was concealed. Misbranding was alleged because said product was an imitation of and offered for sale under the distinctive name of another article, to wit, blackberry cordial, when, in fact, it was an imitation product prepared in whole or in part from starch sugar, artificially colored.

On August 13, 1911, said case coming on to be heard, and it appearing to the court that the Arrow Distilleries Co. had entered its appearance as owner and claimant of said product and filed answer, the court found the said product to be adulterated and misbranded, as alleged in the libel, and that the United States was entitled to a decree of condemnation. Accordingly a decree was entered on that day, condemning and forfeiting the product to the United States and ordering its destruction by the marshal, but with a proviso that upon the payment of all costs of the proceedings by the Arrow Distilleries Co. and the execution of a bond by said company in the sum of \$100, conditioned that said product should not be again sold contrary to law, the same should be released to the said Arrow Distilleries Co.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 13, 1911.*



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1206.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF VINEGAR.

On May 26, 1911, the United States Attorney for the Western District of Wisconsin, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 51 barrels of vinegar in the possession of Gould, Wells & Blackburn Co., of Madison, Wis. Each barrel was labeled: "Barrett and Barrett Brand Cider Vinegar 45 gr. —47 gals."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

	Grams per 100 cc.
Specific gravity 15.6° C/15.6° C.....	1.0127
Solids.....	1.44
Nonsugar solids.....	.94
Reducing sugar invert before inversion (mg).....	503
Per cent sugar in solids.....	34.9
Polarization direct, temperature 20° C (°V.).....	—0.4
Ash.....	.344
Alkalinity of soluble ash (cc N/10 acid per 100 cc).....	37.6
Soluble phosphoric acid (mg per 100 cc).....	16.2
Acid, as acetic.....	4.47
Volatile acid, as acetic.....	4.46
Fixed acid, as malic.....	.007
Lead precipitate.....	medium
Color, degrees, brewer's scale (0.5 in. cell).....	5.5
Color removed by fuller's earth (per cent).....	64

The libel alleged that the vinegar, after shipment by Barrett & Barrett, Chicago, Ill., from the State of Illinois into the State of Wisconsin, remained in the original unbroken packages, and was adulterated and misbranded in violation of the Food and Drugs Act

of June 30, 1906, and was therefore liable to seizure for confiscation. Adulteration was alleged for the reason that a substance, to wit, a dilute solution of acetic acid or distilled vinegar, had been mixed with the article so as to reduce or lower or injuriously affect its quality or strength and had been substituted in part therefor. Misbranding was alleged for the reason that said product was an imitation of and sold under the distinctive name of another article, to wit, cider vinegar, when, in fact, the product was not cider vinegar but a dilute solution of acetic acid or distilled vinegar; and for the further reason that the words "cider vinegar", appearing on said label, were therefore false and misleading and calculated to deceive and mislead the purchaser.

On September 16, 1911, the case coming on to be heard and no one having appeared as claimant or filed answer, the court found the product adulterated and misbranded as alleged in the libel and that the United States was entitled to a decree of condemnation as prayed for. Accordingly a decree was entered on that day, condemning and forfeiting the product to the United States and ordering it to be properly labeled and sold by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 15, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1207.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF FRUIT JELLY.

At the November term of the District Court of the United States for the District of Indiana, the Grand Jurors of the United States within the aforesaid district, acting upon a report of the Secretary of Agriculture, returned an indictment against W. D. Huffman, of said district, charging shipment by him, on or about August 18, 1909, in violation of the Food and Drugs Act of June 30, 1906, from the State of Indiana into the State of Illinois of a quantity of fruit jelly, which was misbranded. The product was labeled: "Fruit Jelly—Apple Flavor—60 per cent fruit, 40 per cent corn syrup, 1 to 1-2000 vegetable color, with phosphate. Indianapolis Canning Co., Indianapolis, Ind."

The indictment was based upon a report of the Secretary of Agriculture showing the following results of an analysis by the Bureau of Chemistry of the United States Department of Agriculture of a sample of the jelly taken from said consignment:

	Per cent.
Solids.....	66.25
Sucrose, Clerget.....	.61
Reducing sugars as invert.....	26.60
Commercial glucose (factor 163).....	71.20
Polarization direct at 24° C.....	122.0
Polarization invert at 24° C.....	121.2
Polarization invert at 87° C.....	116.0
Ash.....	1.01
Ash, soluble in water.....	.755
Ash, insoluble in water.....	.255
Alkalinity of soluble ash (cc N/10 acid 100 grams).....	44.50
Alkalinity of insoluble ash (cc N/10 acid 100 grams).....	28.75
Total P ₂ O ₅37
Contains added phosphate.	
Color: No coal-tar color.	

Misbranding was alleged because the label represented the said product as containing only 40 per cent of corn syrup, i. e., commercial glucose, when, in fact, it contained over 70 per cent of corn syrup, and the statement on the label was therefore false and misleading.

The defendant was arraigned upon the indictment and pleaded guilty, whereupon the court imposed a fine of \$25, together with the costs of the prosecution.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 16, 1911.*



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1208.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF OATS.

On October 4, 1910, the United States Attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against D. Rothschild Grain Co., a corporation, alleging shipment by it, in violation of the Food and Drugs Act, on or about December 15, 1909, from the State of Iowa into the State of Arkansas of a carload of oats which were adulterated and misbranded. The product bore no label, but was invoiced and sold as "No. 3 white oats."

Examination of a sample of said oats by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Oats 72 per cent, barley 20 per cent, débris 8 per cent. Adulteration was alleged for the reason that substances, to wit, barley and débris, had been mixed and packed with the oats so as to lower and reduce their quality and had been substituted in part therefor; misbranding was alleged because the product was represented "No. 3 white oats," when, in fact, it was a mixture of oats, barley, and débris, and the representation was, therefore, false and misleading.

On April 25, 1911, the defendant was arraigned and pleaded guilty, and the next day was fined \$50.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 16, 1911.*

17891°—No. 1208—12



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1209.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF MILK.

On or about August 14, 1911, George L. Hildebrand, of Dickerson, Md., sold and delivered at the Union Station, Washington, D. C., a quantity of milk. Dr. William C. Woodward, Health Officer of the District of Columbia, acting under authority of the Secretary of Agriculture, caused a sample from the above delivery to be procured and analyzed. As it appeared from the findings of the analyst and report made that the said milk was adulterated within the meaning of the Food and Drugs Act of June 30, 1906, the said George L. Hildebrand was afforded an opportunity for hearing, and as it appeared after the hearing was held that the said sale was made in violation of the act, the said Health Officer reported the facts to the United States Attorney for the District of Columbia.

In due course a criminal information against the said George L. Hildebrand was filed in the Police Court of the District of Columbia, charging that the milk was adulterated in that water had been mixed and packed with it in a manner to reduce and lower its quality.

On October 3, 1911, the defendant entered a plea of guilty and the court imposed a fine of \$20.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 17, 1911.*

17805°—No. 1209—12



United States Department of Agriculture

Office of the Secretary

UNITED STATES DEPARTMENT OF AGRICULTURE

WASHINGTON, D. C.

OFFICE OF THE SECRETARY

The Department of Agriculture is pleased to announce that it has received from the Honorable Secretary of the Interior a copy of the report of the Commissioner of the General Land Office, dated at Washington, D. C., the 10th day of March, 1890, in relation to the lands of the United States which are now being surveyed by the General Land Office, and which are known as the public lands. The report of the Commissioner of the General Land Office is a very valuable one, and it is hoped that it will be of great service to the Department of Agriculture in its efforts to improve the public lands. The report contains a detailed description of the lands, and it also contains a list of the lands which are now being surveyed by the General Land Office. The Department of Agriculture is very interested in the report, and it is hoped that it will be of great service to the Department in its efforts to improve the public lands.

Very respectfully,
J. M. Smith,
Secretary.

Approved: J. M. Smith,
Secretary.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1210.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF CREAM.

On July 19, 1911, John W. Humm, doing business in the District of Columbia, sold within said District a quantity of cream. Dr. William C. Woodward, Health Officer of the District of Columbia, acting under authority of the Secretary of Agriculture, caused a sample of the above delivery to be procured and analyzed. As it appeared from the findings of the analyst and report made that the said cream was adulterated within the meaning of the Food and Drugs Act of June 30, 1906, the said John W. Humm was afforded an opportunity for hearing, and as it appeared after the hearing was held that the said sale was made in violation of the act, the said Health Officer reported the facts to the United States Attorney for the District of Columbia.

In due course a criminal information against the said John W. Humm was filed in the Police Court of the District of Columbia, charging that the said milk was adulterated in that a valuable constituent, to wit, butter fat, had been left out and abstracted in whole or in part therefrom.

On September 26, 1911, the defendant entered a plea of guilty and the court imposed a fine of \$5.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 17, 1911.*

17805°—No. 1210—12



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1211.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF CREAM.

On May 20, 1911, the United States Attorney for the Eastern District of Illinois, acting upon a report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Van Camp Packing Co., a corporation, of Indianapolis, Ind., alleging shipment by it, in violation of the Food and Drugs Act of June 30, 1906, on or about March 10, 1910, from the State of Illinois into the State of Texas of a quantity of sterilized cream which was misbranded. The product was labeled: "Van Camp's Sterilized Cream—The Van Camp Packing Co., Indianapolis, Ind—This can contains 8 pounds net weight—This cream contains 40 per cent butter fat."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

	Per cent.
Water.....	59.74
Fat.....	33.19
Proteins.....	3.69
Lactose by difference.....	2.68
Ash.....	0.70
	100.00
Total solids.....	40.26
Fat in solids.....	82.44
Ratio of proteins to fat.....	1: 8.995

Misbranding was alleged because the label represented the product to contain 40 per cent butter fat when in fact it contained only 33.19 per cent butter fat, and the aforesaid representation was therefore false and misleading.

On September 5, 1911, the defendant corporation pleaded guilty and was fined \$25 and costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., November 22, 1911.

18597°—No. 1211—12

Issued January 10, 1912.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1212.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF RASPBERRY EXTRACT AND STRAWBERRY EXTRACT.

At the July term of the District Court of the United States for the Northern District of California, the Grand Jury of the United States, within and for said district, acting upon a report of the Secretary of Agriculture, returned an indictment against Wellman, Peck & Co., a corporation of said district, charging shipment by it, on or about October 7, 1909, in violation of the Food and Drugs act of June 30, 1906, from the State of California into the State of Nevada, of a quantity of raspberry extract and strawberry extract which were misbranded. The products were labeled: (Raspberry extract) "Wellman Highest Quality Flavoring Extract Raspberry Flavor, Wellman-Peck & Co., Packers and Distributors, San Francisco, California." (Strawberry extract) "Wellman Highest Quality Flavoring Extract Strawberry. Wellman, Peck & Co., Packers and Distributors, San Francisco, California."

Analysis of a sample of each of said products made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

RASPBERRY EXTRACT.

Volatile acids as acetic (gram per 100 grams)-----	0.08
Esters as ethyl acetate (gram per 100 grams)-----	.70
Esters as ethyl butyrate (gram per 100 grams)-----	.93
Total solids (per cent)-----	7.64
Ash (per cent)-----	.04
Alkalinity of ash (cc N/10 H ₂ SO ₄ per 100 grams)-----	3.50
Phosphates in ash, present.	
Potash in ash, present.	
Sugar, none.	
Glycerin, present.	
Color, Amaranth.	

STRAWBERRY EXTRACT.

Specific gravity 15.6° C/15.6° C-----	0.9610
Alcohol (per cent by volume)-----	42.2
Solids, including glycerol (grams per 100 cc)-----	9.20
Ash (grams per 100 cc)-----	0.03
Esters as ethyl butyrate (grams per 100 cc)-----	0.32

No strawberry extract present. Tests indicate presence of ethyl esters only; butyric ethyl ester apparently predominates.

Color; dark red.

Dye; reactions for Amaranth.

Misbranding was alleged against the raspberry extract for the reason that said product was represented to be the "highest quality flavoring extract of raspberry" when in fact it was not an extract of raspberry but an imitation thereof artificially colored, and said representation was therefore false and misleading. Misbranding was alleged against the strawberry extract because said product was represented to be the "highest quality flavoring extract strawberry" when in fact it was not extract of strawberry but an imitation thereof artificially colored, and said representation was therefore false and misleading.

On November 19, 1910, the defendant corporation entered a plea of guilty and was fined \$5.

JAMES WILSON,

Secretary of Agriculture.

WASHINGTON, D. C., November 22, 1911.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1213.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF TOMATO CATSUP.

On August 30, 1911, the United States Attorney for the Northern District of Ohio, acting upon a report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Pressing & Orr Co., a corporation, Norwalk, Ohio, alleging shipment by it, in violation of the Food and Drugs Act, on or about October 28, 1910, from the State of Ohio into the State of West Virginia of a quantity of tomato catsup which was adulterated. The product was labeled: "Omega Brand Tomato Catsup. Made from tomatoes and parts of tomatoes, vinegar, sugar, salt and spices. To prevent fermentation 1/10 of 1% Benzoate of Soda is used. Packed by Pressing & Orr Co., Norwalk, O."

Examination of a sample of said product by the Bureau of Chemistry, United States Department of Agriculture, showed it to contain bacteria 70,000,000 per cc, yeasts and spores 100 per one-sixtieth cmm, with mold filaments present in 80 per cent of the microscopical fields examined. Adulteration was alleged for the reason that said product consisted in part of a filthy, decomposed, and putrid vegetable substance, as shown by the aforesaid analysis.

On October 2, 1911, the defendant corporation entered a plea of nolo contendere and was fined \$25 and costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 23, 1911.*

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The Department of Agriculture has the honor to acknowledge the receipt of the report of the Commissioner of the General Land Office, dated at Washington, D. C., January 1, 1901, and to publish the same in this journal. The report contains a detailed statement of the work of the General Land Office during the year 1900, and is of great interest to the public. It shows that the work of the General Land Office has been steadily increasing, and that the Department has been successful in carrying out its various duties. The report also contains a list of the lands that have been surveyed and patented during the year, and a statement of the amount of money that has been received from the sale of these lands.

The report of the Commissioner of the General Land Office for the year 1900 is a valuable document, and it is hoped that it will be of interest to the public. It shows that the work of the General Land Office has been steadily increasing, and that the Department has been successful in carrying out its various duties. The report also contains a list of the lands that have been surveyed and patented during the year, and a statement of the amount of money that has been received from the sale of these lands.

The report of the Commissioner of the General Land Office for the year 1900 is a valuable document, and it is hoped that it will be of interest to the public. It shows that the work of the General Land Office has been steadily increasing, and that the Department has been successful in carrying out its various duties.

James H. Smith,
Commissioner of the General Land Office.

Printed by the Government Printing Office,
Washington, D. C.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1214.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF CREAM.

On April 10, 1911, the United States Attorney for the Southern District of West Virginia, acting upon a report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against A. E. Johnson, Jr., proprietor of the Cinderella Dairy, Fort Spring, W. Va., alleging shipment by him, in violation of the Food and Drugs Act, on or about September 21, 1910, from the State of West Virginia into the State of Virginia of a quantity of cream which was adulterated. The product was labeled: "For Clifton Forge Ice & Bottling Co., Clifton Forge, Va. From Cinderella Dairy, A. E. Johnson, Prop., Fort Spring, W. Va."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Number of organisms per cc developing after two days on:

No. 1.

Plain agar at 25° C.....	460,000,000
Litmus agar at 25° C.....	113,000,000
Per cent acid.....	68.1
Number of B. coli.....	1,000,000

No. 2.

Plain agar at 25° C.....	180,000,000
Litmus agar at 25° C.....	128,000,000
Per cent acid.....	66
Number of B. coli.....	1,000,000

Adulteration was alleged for the reason that said cream consisted in part of a filthy, decomposed, and putrid animal substance.

On September 19, 1911, the defendant entered a plea of nolo contendere and was fined \$10 and costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., November 23, 1911.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1215.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF "VINO VITO."

On March 3, 1911, the Grand Jurors of the United States within and for the Northern District of California, acting upon a report of the Secretary of Agriculture, returned an indictment against the American Cordial and Distilling Co., in which it was charged that on or about November 29, 1909, said company sold and delivered to the Rosenblatt Co., of San Francisco, a quantity of goods containing, among other things, a case of "Vino Vito" under a general guaranty as to quality and standard of said goods under the Food and Drugs Act; that on or about March 17, 1910, the Rosenblatt Co., relying upon said guaranty, sold and shipped said case of Vino Vito from the State of California into the Territory of Arizona and that said product was misbranded. The product was labeled: (On neck of bottle) "Reward \$250.00 Reward will be paid for the arrest and conviction of any person refilling this bottle. American Cordial & Distilling Co." (On the main label) "Vino Vito Cordial Restores Youthful Strength & vigor. Agreeable to the taste Sure in action Proof 55 American Cordial & Distilling Co. San Francisco, U. S. A. Guaranteed under the Food & Drugs Act, June 30, 1906. Serial No. 7564."

Analysis of the said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the product to consist essentially of alcohol, sugar, water, and a small amount of a plant extract resembling damiana. Misbranding was alleged in the indictment as follows: "And the Grand Jurors aforesaid do further present that each bottle of Vino Vito in said case contained, so shipped as aforesaid, was then and there misbranded in the following particulars, to-wit: That each of said bottles in said case contained, had two labels thereon regarding said Vino Vito, which labels contained the following words and impressions; on the neck label, 'Reward \$250.00 Reward will be paid for the arrest and conviction of any person refilling this bottle. American Cordial & Distilling Co.'—and on the main label, 'Vino Vito Cordial Restores

Youthful Strength & vigor. Agreeable to the taste Sure in action Proof 55 American Cordial & Distilling Co. San Francisco, U. S. A. Guaranteed by the American Cordial & Distilling Co. under the Food & Drugs Act, June 30, 1906, Serial No. 7564,' with the impression of a nearly nude woman lying upon a couch and holding a corkscrew in her hand, beside which corkscrew were written the words 'Trade Mark', and with the impression of a bottle of Vino Vito on a tabourette beside said couch; That said labels were then and there false and misleading in this, that the statements 'Vino Vito restores Youthful Strength and Vigor,' 'Agreeable to the Taste', and 'Sure in Action', and the design on the label are false and deceptive, as the product contained in each of said bottles in said case, is not a wine of life, will not restore youthful strength and vigor, and is not sure in action, as the said product does not contain a quantity of the extract of damiana sufficient to produce any aphrodisiacal effect. And the Grand Jurors aforesaid, do further present that the said Vino Vito is misbranded in this, that each of the bottles in said case contained, fails to bear any statement on said label, of the quantity or proportion of alcohol contained in said Vino Vito, whereas in truth and in fact, the contents of each of said bottles in said case, contains a large quantity of alcohol".

On September 25, 1911, the defendant, the American Cordial & Distilling Co., entered a plea of guilty and was fined \$100.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 28, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1216.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF VANILLA FLAVOR.

On August 18, 1911, the United States Attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against S. D. Conwell & Co., alleging shipment by them, in violation of the Food and Drugs Act, on or about February 8, 1911, from the State of Pennsylvania into the State of New Jersey of a quantity of vanilla flavor which was adulterated and misbranded. The product was labeled: "Paragon Vanilla Flavor, S. D. Conwell & Company, Philadelphia."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Specific gravity at 15.6° C., 1.03868; alcohol, by volume, 7.64 per cent; methyl alcohol, none; total solids, by evaporation on asbestos, 13.38 per cent; vanillin 0.695 per cent; coumarin 0.086 per cent; resins, by precipitation, from vanilla beans, only traces, if any; normal Winton lead number, 0.0396; coal-tar color, negative; color, caramel, Woodman's paraldehyde method, brown flocculent precipitate, indicating probable presence of caramel; amyl alcohol test for vanilla bean extractives, only traces, if any; ether test for vanilla bean extractives, only traces, if any; lead acetate and subacetate tests for caramel, indefinite; normal vanilla color, very little, if any. Adulteration was alleged for the reason that an imitation extract containing vanillin and coumarin had been mixed and packed with the product in such a manner as to reduce, lower, and injuriously affect its quality and strength and had been substituted in part therefor, and for the further reason that said

product was colored in a manner whereby its inferiority was concealed. Misbranding was alleged for the reason that said product was represented as vanilla flavor when in fact it was not vanilla flavor but an artificial color imitation thereof, and that the statement on the label was therefore false and misleading.

On September 20, 1911, the defendant entered a plea of guilty and a fine of \$10 was imposed.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 5, 1911.*

1216

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United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1217.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF STRAWBERRY EXTRACT, RASPBERRY EXTRACT, ORANGE EXTRACT, VANILLA AND TONKA EXTRACT, ALMOND EXTRACT, AND CINNAMON EXTRACT.

At a stated term of the Circuit Court of the United States for the Southern District of New York, begun and held in the city of New York, on the first Monday of July, 1911, the United States Attorney for said district, acting upon a report by the Secretary of Agriculture, filed information in said circuit court against the California Perfume Co., a corporation, alleging shipment by it, in violation of the Food and Drugs Act, on or about September 22, 1909, from the city of New York into the State of Kentucky, of a quantity of extracts which were adulterated and misbranded. The labeling on the cartons was the same in each instance, except as to the stamping of the name of the extract, and was as follows: "CP, the Sign of Quality, 4 Ounces, Full Weight, California (Trade Marked Design) Flavoring Extract, Strawberry, Manufactured by California Perfume Company, New York, Price 45 Cents."

The bottles containing the concentrated extract of strawberry were labeled: "4 Ounces, Full Weight, Concentrated Extract of Strawberry, Imitation, For all Flavoring purposes. These goods are Guaranteed under the Pure Food & Drugs Act of June 30, 1906, Serial No. 3909, California Perfume Co., New York." Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Average contents (2 bottles), 120.5 cc, or 1.9 per cent over 4 fluid ounces; solids (grams per 100 cc), 0.062; ash (grams per 100 cc), 0.017; alkalinity of ash (cc N/10 HCl per 100 cc), 1.5 cc; esters, as ethyl acetate (per 100 cc), 0.58 grams; alcohol by volume, 43.1 per cent; no methyl alcohol; no chloroform; color, impure amaranth. Adulteration was alleged against said product for the reason that an imitation strawberry extract, esters, impure amaranth, and other foreign substances had been mixed and packed with said article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article, and said substance had been colored in a manner whereby inferiority was concealed. Misbranding was alleged for the reason that said product was an

imitation of and offered for sale under the distinctive name of another article, to wit, concentrated extract of strawberry, when in fact it was an imitation thereof, and contained esters, impure amaranth, and other substances foreign thereto. The statements on the label were therefore false and misleading, and calculated to deceive and mislead the purchaser.

The bottles containing the concentrated extract of raspberry were labeled as follows: "Four Ounces Full Weight, Concentrated Extract of Raspberry, for all Flavoring Purposes, (Design and Trade Mark), California Perfume Company, New York." Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Contents (1 bottle), 129 cc, or 9.1 per cent over 4 fluid ounces; solids by weight, 0.30 per cent; ash by weight, 0.026 per cent; alkalinity of ash (cc N/10 HCl per 100 grams), 3.65 cc; esters as ethyl acetate (per 100 cc), 0.48 grams; alcohol by volume, 38.9 per cent; no methyl alcohol; no chloroform; color, impure amaranth. Adulteration was alleged against said product because an imitation raspberry extract, esters, impure amaranth, and other foreign substances had been mixed and packed with said article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article, and said substance was colored in a manner whereby inferiority was concealed. Misbranding was alleged for the reason that said product was an imitation of and offered for sale under the distinctive name of another article, to wit, concentrated extract of raspberry, when in fact it was an imitation thereof, and contained esters, impure amaranth, and other substances foreign thereto. The representations on the label were therefore false and misleading, and calculated to deceive and mislead the purchaser.

The bottles containing the concentrated extract of terpeneless orange were labeled as follows: "Four Ounces Full Weight, Concentrated Extract of Terpeneless Orange For All Flavoring Purposes. These goods are Guaranteed under the Pure Food and Drugs Act June 30, 1906, Serial Number 3909. California Perfume Company, New York." Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Contents, average (2 bottles), 114 cc; shortage, 3.6 per cent; solids (grams per 100 cc), 0.043; oil, by polarization, 1.4 per cent; oil, by precipitation, 1.6 per cent; alcohol, by volume, 68.7 per cent; no methyl alcohol; colored with a yellow coal-tar dye not Naphthol Yellow S. Adulteration was alleged against said product for the reason that a dilute extract of orange and yellow coal-tar dye and other foreign substances had been mixed and packed with said article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for

said article, and said substance had been colored in a manner whereby inferiority was concealed. Misbranding was alleged for the reason that said product was an imitation of and offered for sale under the distinctive name of another article, to wit, concentrated extract of terpeneless orange, when in fact it was not such, but a mixture including dilute extract of orange and other substances foreign to extract of terpeneless orange, and the representation on the label was therefore false and misleading, and calculated to deceive and mislead the purchaser.

The bottles containing the concentrated extract of vanilla and tonka were labeled: "Four Ounces Full Weight, Concentrated Extract of Vanilla and Tonka, For All Flavoring Purposes. These goods are Guaranteed under the Pure Food and Drugs Act June 30, 1906, Serial Number 3909. California Perfume Company, New York." Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Average contents (2 bottles), 127 cc, or 7.4 per cent over 4 fluid ounces; solids, by weight, 23.4 per cent; alcohol, by volume, 27.9 per cent; no methyl alcohol; vanillin, m. p. 78° C., 0.24 per cent; coumarin, 0.013 per cent; resins, amount very small; caramel present. Adulteration was alleged against said product because an imitation extract of vanilla, caramel, and other substances foreign to extract of vanilla and tonka had been mixed and packed with said article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article, and said substances had been colored in a manner whereby inferiority was concealed. Misbranding was alleged for the reason that said product was an imitation of and offered for sale under the distinctive name of another article, to wit, concentrated extract of vanilla and tonka, when in fact it was not such, but a mixture including an imitation extract of vanilla, caramel, and other substances foreign to extract of vanilla and tonka, and the representation on the label was therefore false and misleading, and calculated to deceive and mislead the purchaser.

The bottles containing the concentrated extract of almond were labeled: "Concentrated Extract of Almond for all Flavoring Purposes. These goods are Guaranteed under the Pure Food and Drugs Act June 30, 1906, Serial Number 3909. California Perfume Company, New York." Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Contents, average (2 bottles), 121.5 cc, or 2.7 per cent over 4 fluid ounces; solids (per 100 cc), 0.023 gram; alcohol, by volume, 38.2 per cent; no methyl alcohol; benzaldehyde (grams per 100 cc), 0.30; benzoic acid (by titration), none; colored with a yellow coal-tar dye. Adulteration was alleged against

said product for the reason that a dilute extract of almond and yellow coal-tar dye and other foreign substances had been mixed and packed with said article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article, and said substance had been colored in a manner whereby its inferiority was concealed. Misbranding was alleged for the reason that said product was an imitation of and offered for sale under the distinctive name of another article, to wit, extract of almond, when in fact it was not such, but a mixture including dilute extract of almond and yellow coal-tar dye and other substances foreign to extract of vanilla, and the representation on the label was therefore false and misleading, and calculated to deceive and mislead the purchaser.

The bottles containing the concentrated extract of cinnamon were labeled: "Concentrated Extract of Cinnamon, For All Flavoring Purposes. These goods are Guaranteed under the Pure Food and Drugs Act June 30, 1906, Serial Number 3909. California Perfume Company, New York." Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Contents, average (2 bottles), 111 cc; shortage, 6.2 per cent; solids (grams per 100 cc), 0.35; alcohol, by volume, approximately, 55.1 per cent; no methyl alcohol; cinnamic aldehyde (per 100 cc), 1.65 grams; oil of cinnamon, calculated on basis of 75 per cent contents of cinnamic aldehyde, (grams per 100 cc), 2.2; colored with a yellow coal-tar dye. Adulteration was alleged against said product for the reason that a dilute extract of cinnamon and yellow coal-tar dye and other foreign substances had been mixed and packed with said article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article, and said substance had been colored in a manner whereby its inferiority was concealed. Misbranding was alleged because said product was an imitation of and offered for sale under the distinctive name of another article, to wit, concentrated extract of cinnamon, when in fact it was not such, but was a mixture including dilute extract of cinnamon, and yellow coal-tar dye and other substances foreign to extract of cinnamon, and the representation on the label was therefore false and misleading, and calculated to deceive and mislead the purchaser.

On October 5, 1911, the defendant company pleaded guilty and was fined \$300.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 25, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1218.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF HOXSIE'S CROUP REMEDY.

On the first Monday of September, 1911, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed information in the circuit court of the United States for said district against The Kells Co., a corporation, alleging shipment by it, in violation of the Food and Drugs Act, on or about July 28, 1910, from the State of New York into the District of Columbia, of a drug product labeled Hoxsie's Croup Remedy, which was misbranded. The product was labeled: (On carton) "Dr. A. C. Hoxsie's Croup Remedy Contains 20% alcohol A remedy for Croup, Coughs, Colds & Hoarseness * * * A. C. Hoxsie. Price 50 Cts. Guaranteed under the Food and Drugs Act, June 30, 06, No. 2772. * * * For further directions see pamphlet around bottle. Manufactured and distributed by the Kells Company, Newburgh, N. Y." (On bottle): "Dr. A. C. Hoxsie's Croup Remedy Contains 20% alcohol For Croup, coughs, colds & Hoarseness. * * * The Kells Company, Newburgh, N. Y." (Blown in bottle) "Certain Croup Remedy. Buffalo N. Y. Dr. Hoxsie's." The booklet packed with the product contains the following statement, among others (referring to croup): "Hoxsie's Croup Remedy, if promptly administered, will, in a few minutes, dispel the accumulation and in a short time the child is out of all danger." A leaflet packed with the product contained the following statements, among others: "Possessing wonderful curative power on the membranes of the throat and delicate tissues of the lungs;" "Croup * * * Whooping Cough, Diphtheria, Coughs, Colds, * * * and Consumption yield to this great remedy;" "Adults find it a life-saving remedy, as it prevents serious complications when the pulmonary organs are attacked."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the product to be a hydro-alcoholic solution of an alkaloid containing 31.4 per cent of alcohol by volume, and a trace of undetermined extractive matter, the nonvolatile matter constituting 0.15 per cent by weight. Misbranding was alleged for the reason that the label represented the alcohol content of said product to be 20 per cent, when in fact the product contained a greater amount of alcohol, to wit, 31.4 per cent by volume, and this statement on the label was therefore false and misleading.

On October 5, 1911, the defendant corporation pleaded guilty and was fined \$50.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 25, 1911.*

1218



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1219.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF "COCACALISAYA."

On the first Monday of July, 1911, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed information in the Circuit Court of the United States for said district against the Shepard Pharmacal Co., a corporation, alleging shipment by it, in violation of the Food and Drugs Act, on or about June 17, 1910, from the State of New York into the District of Columbia of a quantity of a drug product, "Cocacalisaya," which was misbranded. The product was labeled: "Guaranteed under the Food and Drugs Act, June 30, 1906. Serial No. 1674—filed in the Department of Agriculture, Washington, D. C., 1886. Cassebeer's Coca Calisaya. Registered in the U. S. Patent Office, 1883. An agreeable and efficient tonic; sustaining the strength under extreme physical exertion. The grateful and invigorating influence of this preparation is peculiarly adapted to persons enfeebled by sickness or debility. The bitterness of the Calisaya Bark and the unpleasant flavor of the fresh coca leaves are effectually covered by the addition of palatable aromatics. Each tablespoonful represents about one gramme of the Calisaya Bark and best Peruvian coca leaves. 35% Alcohol Dose: For adults, from one to two tablespoonfuls. Prepared by Shepard Pharmacal Co."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed it to be a liquid consisting essentially of 42.23 per cent alcohol by volume; 19.87 per cent of nonvolatile material, including 16.88 per cent sugar; 0.10 per cent total alkaloids made up of cocaine and cocaine derivatives, quinine, and other alkaloids, the balance of the nonvolatile material being inert drug extractive matter; the remainder of the product was water and had a trace of aromatic material; the cocaine and

cocaine derivatives amounted to about 1/10 grain per fluid ounce. Misbranding was alleged for the reason that the statement on the label, "35% alcohol," was false and misleading because said product consisted of 42.23 per cent alcohol. Misbranding was further alleged because the label contained no statement of the quantity of cocaine and cocaine derivatives shown by the aforesaid analysis to be present in said product.

On October 5, 1911, the defendant pleaded guilty and sentence was suspended.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., November 27, 1911.

1219



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1220.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF LEMON OIL.

On July 31, 1911, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed information in the Circuit Court of the United States for said district against Heine & Co., a corporation, alleging shipment by it, in violation of the Food and Drugs Act, on or about February 3, 1909, from the State of New York into the State of New Jersey, of a quantity of lemon oil which was adulterated and misbranded. The product was labeled: "Heine & Co. Leipsig, Groba, Riesa, New York Grasse. Oil of Lemon-Calabrian $\frac{1}{4}$ lb. Germany. Guar. by Serial No. 2606 Heine & Co. 14 Platt St. N. Y."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Specific gravity, 15.6° C., 0.8569; citral, 3.7 per cent; pinene, absent; alcohol, at least 2.25 per cent; oil + alcohol present—polarization 20° C., 59.1, refraction 20° C., 1.4726; original oil after removal of alcohol—polarization 20° C., 58.7, refraction 20° C., 1.4745; 10 per cent distillate—polarization 20° C., 53.1, refraction 20° C., 1.4723; distillation in vacuum, 10 per cent residue, polarization 20° C., 6.2, refraction 20° C., 1.4912. Adulteration was alleged for the reason that certain substances other than oil of lemon, to wit, among others, alcohol, had been mixed with said article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part therefor. Misbranding was alleged for the reason that said product was labeled so as to deceive and mislead the purchaser thereof, in that the label bore a statement regarding the article and the ingredients contained therein, which was false and misleading, in that it represented the product to be oil of lemon when in fact it was not oil of lemon but an adulterated and mixed product consisting in part of alcohol and other substances foreign to oil of lemon; and further because said article was an imitation of and offered for sale under the distinctive name of another article, to wit, oil of lemon, when in fact it was not oil of lemon.

On October 5, 1911, the defendant pleaded guilty and sentence was suspended.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 28, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1221.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF MORSE'S CREAM.

At the stated term of the Circuit Court of the United States for the Southern District of New York the United States Attorney for said district, acting upon a report by the Secretary of Agriculture, filed information in said court against Hazen Morse, alleging shipment by him, in violation of the Food and Drugs Act, on or about June 15, 1910, of a quantity of a drug product labeled Morse's cream, which was misbranded. The product was labeled: (On outside wrapper and bottle) "Morse's Cream, Hazen Morse, Bridgeburg, Ont. Can. New Rochelle, N. Y. Guaranteed under the Food and Drugs Act, June 30, 1906. Serial No. 302. Cod Liver Oil Cream contains 5% Alcohol for the purpose of preserving the Emulsion. An Artificially Digested Oil. Consequently is entirely absorbed by the stomach, and of 10 times greater nutritive value than Cod Liver Oil, plain or emulsified in the ordinary way. Economical and of the greatest value in Consumption, Coughs and all Wasting Diseases. Causes Immediate Increase in Weight. Price \$1.00. Formula, Cod Liver Oil, positively the finest Norwegian obtainable, 67 parts. Distilled water 33 parts. Oil digested artificially by means of pancreatin. Dose two teaspoonsful after each meal can be taken plain or mixed with water or other liquid as desired. Keep the bottle well corked and in a cool dark place. Shake well before using." (On Bottle) "Persons taking Morse's Cream are requested to keep an account of their weight that the increase in solid flesh may be shown. If preferred, Morse's Cream may be taken in Orange or Ginger Wine, or with Milk, according to taste. Shake well before using. This preparation will not change in any climate. If too thick add a little water and shake well. Keep in a cool place." (Blown in bottle) "Hazen Morse Canada."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed it to be an emulsion consisting essentially of 39.61 per cent of cod liver oil, 41.66 per cent of water, together with a small quantity of

alcohol and oil of cassia; 0.37 per cent ash, and a small amount of sugar, the balance being the gum used as an emulsifying agent. Misbranding was alleged for the following reasons: Because the container and label of said article bore statements regarding it and the ingredients and substances contained therein which were false and misleading, in that they stated, among other things, that said article was an artificially digested oil, and was made in a way different from and superior to the way cod liver oil is ordinarily made, and contains 67 parts cod liver oil, and was digested artificially by pancreatin, whereas it was an ordinary cod liver oil not artificially digested, and contained less than 67 parts cod liver oil.

On October 5, 1911, the defendant pleaded guilty and was fined \$50.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 28, 1911.*

1221



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1222.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF FERRO-CHINA ANTIMALARICO.

At the stated term of the Circuit Court of the United States for the Southern District of New York the United States Attorney for said district, acting upon a report of the Secretary of Agriculture, filed information in said court against A. Saunig & Co., alleging shipment by them, in violation of the Food and Drugs Act, on or about September 22, 1910, from the State of New York into the State of Pennsylvania of a quantity of a product labeled Ferro-China Antimalarico, which was misbranded. The product was labeled: "Ferro-China Antimalarico * * * Ferro-China, the Anti-Malaric Febrifuge, Upbuilder, Digestive and Strengthening Tonic. * * * The Ferro-China Anti-Malaric, prepared as it is of the best quality of quinine, is an energetic digestive tonic, and one used with unsurpassed success in long and continued convalescence, miasmatic affections and malarial cachexy, as a cure and preventive. * * *"

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the product to be a liquid consisting of alcohol by volume 16.12 per cent, and containing some iron but no quinine. Misbranding was alleged because said product was labeled so as to deceive the purchaser, in that the label bore statements regarding the article and the ingredients and substances contained therein which were false and misleading because said statements were to the effect that the article consisted in part of quinine, when in fact no quinine was contained therein, and also because said article contained alcohol, but the label failed to bear a statement of either the quantity or proportion of the alcohol contained therein.

On October 5, 1911, the defendants pleaded guilty and were fined \$50.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 29, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1223.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF COTTONSEED MEAL.

At the April term of the United States District Court for the Southern District of Ohio the United States Attorney, acting upon a report of the Secretary of Agriculture, filed in said court information against the Buckeye Cotton Oil Co., a corporation, alleging shipment by it, in violation of the Food and Drugs Act, on or about December 14, 1910, from the State of Ohio into the State of Maine, of a quantity of cottonseed meal, which was misbranded. The product was labeled: "100 pounds net Buckeye Prime Cotton Seed Meal. Manufactured by the Buckeye Cotton Oil Company, General Offices, Cincinnati, Ohio. Guaranteed protein 39 to 41 per cent; Fat 6.50 to 7 per cent; Crude Fiber 8 to 10 per cent."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture, showed it to consist of nitrogen 5.47 per cent; protein, 34.21 per cent; fats, 6.40 per cent. Misbranding was alleged for the reason that said product was represented to contain 39 to 41 per cent protein, when in fact it contained 34.21 per cent, and further because said product was represented to be "prime," when said product was not of that character, and therefore the label bearing aforesaid statements regarding the article and the ingredients and substances contained therein was false and misleading.

On September 25, 1911, the defendant corporation entered a plea of guilty and was fined \$10 and costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 29, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1224.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF TOMATO CATSUP.

On December 12, 1910, the United States Attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 25 cases of tomato catsup in the possession of Gardner & Co., Gallatin, Tenn. The product was labeled: "Kokomo Brand Catsup—Made of small tomatoes and peeling—1/10 of 1% benzoate of soda—Kokomo Canning Company, Kokomo, Ind."

Examination of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed it to contain yeasts and spores 300 per one-sixtieth cmm, bacteria 200,000,000 per cc, mold filaments present in 60 per cent of the fields, and that the product was filthy, decomposed, and putrid. The libel alleged that the product, after shipment by the Kokomo Canning Co., Kokomo, Ind., from the State of Indiana into the State of Tennessee, remained in the original unbroken packages, and was adulterated in violation of the Food and Drugs Act of June 30, 1906, because it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance and was, therefore, liable to seizure for confiscation.

On May 19, 1911, the case coming on to be heard and no one having appeared as claimant or filed answer, the court entered a decree finding the product adulterated, as alleged in the libel, and condemning and forfeiting the same to the United States and ordering its destruction by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., November 29, 1911.

19626—No. 1224—12



United States Department of Agriculture

Office of the Secretary

Report on the Progress of the Work

for the Year 1901

Presented to the Senate and House of Representatives

of the United States at their respective sessions in 1902
by the Secretary of Agriculture
J. B. HARRIS
Washington, D. C.

The Department of Agriculture has the honor to acknowledge the receipt of the report of the Chief of the Bureau of Plant Industry, Mr. C. V. Piper, for the year 1901. The report contains a detailed account of the work of the Bureau during the year, and is a valuable contribution to the knowledge of the progress of the work of the Department. The report is divided into two parts, the first of which contains a general statement of the work of the Bureau, and the second of which contains a detailed account of the work of the various divisions of the Bureau. The report is a valuable contribution to the knowledge of the progress of the work of the Department, and is a valuable contribution to the knowledge of the progress of the work of the various divisions of the Bureau.

The report is a valuable contribution to the knowledge of the progress of the work of the Department, and is a valuable contribution to the knowledge of the progress of the work of the various divisions of the Bureau. The report is a valuable contribution to the knowledge of the progress of the work of the Department, and is a valuable contribution to the knowledge of the progress of the work of the various divisions of the Bureau.

Approved: J. B. Harris, Secretary of Agriculture
J. B. Harris, Secretary of Agriculture

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1225.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF APPLE VINEGAR.

On November 3, 1910, the United States Attorney for the Middle District of Tennessee, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of one barrel of vinegar in the possession of W. J. Kinsey, Nashville, Tenn. The product was labeled: "Apple Vinegar—L. G.—Louisville Cider & Vinegar Works, Louisville, Ky."

Analysis of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results:

Solids (grams per 100 cc)-----	2.14
Nonsugar solids (grams per 100 cc)-----	1.00
Reducing sugar invert (grams per 100 cc)-----	1.14
Sugar in solids (per cent)-----	53.3
Polarization direct, temperature 20° C. (°V.)-----	-1.7
Ash (grams per 100 cc)-----	.29
Alkalinity of soluble ash (cc N/10 acid 100 cc)-----	29.1
Soluble phosphoric acid (mg per 100 cc)-----	22.8
Insoluble phosphoric acid (mg per 100 cc)-----	9.5
Acid, as acetic (grams per 100 cc)-----	4.01
Fixed acid, as malic (grams per 100 cc)-----	.02
Lead precipitate-----	O. K.
Color, degrees, brewer's scale (0.5 in. cell)-----	5
Ash in nonsugar solids (per cent)-----	29
Color removed by fuller's earth (per cent)----- (approx.)--	45

The libel alleged that the product, after shipment by the Louisville Cider & Vinegar Works, Louisville, Ky., from the State of Kentucky into the State of Tennessee, remained in the original unbroken package, and was misbranded in violation of the Food and Drugs Act of June 30, 1906, and was, therefore, liable to seizure for confiscation. Misbranding was alleged for the reason that the said product was represented to be apple vinegar, when, in fact, it was only apple cider vinegar in part to which had been added substances high in reducing sugars, and also added ash, and said representation was,

therefore, false and misleading and calculated to mislead and deceive the purchaser. Misbranding was further alleged for the reason that said product was an imitation of and sold under the distinctive name of another article, to wit, apple vinegar.

On May 19, 1911, no claimant having appeared, the court entered a decree finding the said product to be misbranded as alleged in the libel and condemning and forfeiting it to the United States and ordering the sale of the same by the United States marshal after labeling the product "Imitation cider vinegar."

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 1, 1911.*

1225



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1226.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF CHAMPAGNE.

On June 23, 1911, the United States Attorney for the Southern District of Ohio, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 50 cases of champagne in the possession of M. C. Dow. The product was labeled: "Blood of the Grape (Design—Bunch of Grapes)," and "Blood of (Design—Bunch of Grapes) the Grape—Unfermented Champagne—Non-Intoxicating—Wilson Fruit Juice Co., Lawton, Mich.," and on sticker on back of bottle: "Blood of the Grape Champagne—Complies with any State Pure Food Law and with the National Pure Food Law of June 30, 1906. We guarantee every bottle. No change of labels on goods now in dealer's hands. We have filed our General Guarantee with the Secretary of Agriculture. Serial No. 1209. Wilson Fruit Juice Co., Lawton, Mich."

Analysis of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results:

	Grams per 100 cc.
Specific gravity 15.6° C./15.6° C.....	1.0506
Alcohol (per cent by volume).....	None.
Extract solids.....	13.10
Reducing sugar, invert, before inversion.....	11.10
Reducing sugar, invert, after inversion.....	12.16
Polarization direct, temperature 27° C.....	13.6
Polarization invert, temperature 27° C.....	14.0
Polarization invert, temperature 87° C.....	0.0
Ash, total.....	.0748
Ash, soluble in water.....	.0668
Ash, insoluble in water.....	.008
Alkalinity of soluble ash (cc N/10 acid 100 cc).....	6.0
Alkalinity of insoluble ash (cc N/10 acid 100 cc).....	2.8
Acid, as acetic, total.....	.228
Volatile acid, as acetic.....	.07
P ₂ O ₅ , soluble (mg).....	2.7

Preservatives:

Benzoic..... Negative.

Salicylic..... Negative.

Color: Caramel..... Present.

Practically all color removed by fuller's earth.

The libel alleged that the product, after shipment by the Wilson Fruit Juice Co., Lawton, Mich., from the State of Michigan into the State of Ohio, remained in the original unbroken packages and was adulterated and misbranded in violation of the Food and Drugs Act of June 30, 1906, and was, therefore, liable to seizure for confiscation. Adulteration was alleged against the said product because it was not the pure juice of the grape, but a distilled grape juice, sweetened and artificially colored. Misbranding was alleged for the reason that said product was represented on the label as "Blood of the Grape Unfermented Champagne," when, in fact, it was not pure grape juice nor champagne of any type, and said representation was, therefore, false and misleading. Misbranding was further alleged for the reason that said product was an imitation of and sold under the distinctive name of another article, to wit, champagne, and was labeled so as to deceive and mislead the purchaser.

On September 16, 1911, it appearing to the court that the Wilson Fruit Juice Co. had intervened as claimants and owners of said property and filed answer admitting the facts alleged in the libel and consenting to a decree of condemnation, the court entered a decree holding the product to be adulterated and misbranded, as alleged in the libel, and condemning and forfeiting the same to the United States and ordering the labels of said product to be removed and the same sold by the marshal, either publicly or privately, as in his discretion may best serve the public interest; but with a proviso that, upon the payment of all costs and the filing of a bond in the sum of \$500 by claimants conditioned that said property should not again be sold contrary to law, the same be released to them.

JAMES WILSON,

*Secretary of Agriculture.*WASHINGTON, D. C., *December 1, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1227.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF TOMATO PASTE.

On September 7, 1911, the United States Attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against Samuel L. Kelty, alleging shipment by him, in violation of the Food and Drugs Act, on or about November 26, 1910, from the State of New Jersey into the State of Pennsylvania, of a quantity of tomato paste which was adulterated. The product was labeled: "Defy-the-World Brand Tomato Paste Rossa (Directions) Packed by Sam'l L. Kelty, Quinton, N. J. Direzione * * * Puro Pomodoro."

Analysis of a sample of said product, made by the Bureau of Chemistry, United States Department of Agriculture, showed the following results: Offensive odor when opened. Yeasts and spores 120 per one-sixtieth cmm. Bacteria 115,000,000 per cc. Molds in 64 per cent of the fields. Organisms per cc. developing after three days on dextrose plain agar, portion 1, at 25° C., 370,000; portion 2, 390,000; on wort agar, portion 1, 330,000; portion 2, 130,000. Dextrose fermentation tubes after three days at 37° C. gas in portion 1, 0.01 cc., 0.001 cc., 0.0001 cc., 0.00001 cc. Gas-producing organisms present in dextrose fermentation tubes after three days at 37° C. in portion 2, 0.01 cc., 0.001 cc., 0.0001 cc. Flora; mostly bacteria, many yeasts, no molds. Adulteration was alleged for the reason that said product consisted in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance.

On October 2, 1911, the defendant entered a plea of non-vult, and sentence was suspended by the court.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., December 1, 1911.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1228.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF HAIR BALSAM.

On July 21, 1911, the United States Attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against E. S. Wells, alleging shipment by him, in violation of the Food and Drugs Act, on or about November 25, 1910, from the State of New Jersey into the State of Ohio, of a quantity of hair balsam which was misbranded. The product was labeled: (Carton, sticker on top) "E. S. Wells Chemist, Jersey City, N. J., U. S. A. Serial No. 548. Guaranteed under the Food and Drugs Act, June 30, 1906. Wells' Hair Balsam for Gray Hair. (Picture of woman holding long hair) In use over 40 Years. It will please you because it does the work and does it right. Since this preparation is not an instantaneous dye, it does not give that easily detected, unnatural look. It acts gradually—in three or four applications, changing gray hairs to approximately the original color, black or brown, leaving a natural look. In use over forty years. Sold by druggists or sent by express. Price, 50 Cents. This Small Trial size, 50 c. per bottle; 3 bottles, \$1.35. Large Size (over double quantity) \$1 bottle. 3 bottles \$2.75. E. S. Wells, Chemist, Manufacturer & Proprietor, 706 & 708 Grand St., Jersey City, N. J., U. S. A. (Translations of original Spanish on reverse side of carton). Restores gray hair to its original color. Life of the hair. Stops falling hair. Strengthens and imparts vigor to the hair and promotes its growth. Prevents dandruff and other scalp affections; imparts smoothness, freshness and luster to the hair without the necessity of using other cosmetics. It is the Tonic Par Excellence for the Hair. Keeps the scalp as well as the hair fresh and clean, takes away itching and irritation of the head, and cures and does away with cutaneous affections of the scalp. It is not a dye nor does it contain anything harmful to the hair or scalp. It is a vivifying tonic. Its importance as a tonic has been fully confirmed and proved by trial and in this way

is has gained the favor of the people, who prefer it to all others. Wells' Hair Balsam is the best cosmetic known for the head and can be used with advantage as a tonic to prevent falling of the hair and to promote its growth and cleanliness as well as to restore to the hair its original color; or it may be used simply as a cosmetic or else for its combined effects." (The German, French and Portuguese translations of this carton are to the same effect as above.) (Bottle, front label same as front of carton. Back label contains directions.) (Circular): "Wells' Hair Balsam Not a dye but restores gray hair to its original color. Harmless * * * Prevents Dandruff. Stops Hair coming out." Analysis of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed it to be a perfumed mixture of sulphur with aqueous solution of lead acetate and glycerol. Misbranding was alleged for the reason that said product contained in its label not only the word "Balsam," both on carton and bottle and in the three circulars within the package, but also that the statements in Spanish and other foreign languages upon the carton to the effect that the product is not a dye nor does it contain anything harmful to the hair or scalp, as well as the word "harmless" in the circular headed "not a dye" within the carton, are false and misleading.

On October 2, 1911, the defendant pleaded non-vult and sentence was suspended by the court.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 2, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1229.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF LEMON EXTRACT.

At a stated term of the Circuit Court of the United States for the Southern District of New York begun on the first Monday of May, the United States Attorney for said District, acting upon a report by the Secretary of Agriculture, filed an information in said court against the California Perfume Co., a corporation, alleging shipment by it, in violation of the Food and Drugs Act of June 30, 1906, on or about July 14, 1909, from the State of New York into the State of Kentucky, of a quantity of lemon extract which was adulterated and misbranded. The product was labeled: (On carton) "4 oz. full weight California Flavoring Extract Lemon. Manufactured by California Perfume Co., New York." (On bottle) "4 oz. full weight Concentrated Extract of Terpeneless Lemon. For all Flavoring Purposes. These goods are guaranteed under the Pure Food and Drug Act, June 30, 1906, Serial No. 3909. California Perfume Co., New York."

Analysis of a sample of said product by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

Alcohol by volume (per cent)-----	57.00
Lemon oil, polarization (per cent)-----	.4
Lemon oil, precipitation (per cent)-----	.4
Citral (per cent)-----	.10
Coloring matter—coal-tar dye, not Orange I nor Naphthol Yellow S.	

Adulteration was alleged for the reason that a dilute terpeneless extract of lemon containing less than one-half the standard percentage of citral, artificially colored, had been mixed and packed with the product in a manner whereby its inferiority was concealed and had been substituted in part therefor. Misbranding was alleged for the reason that the label on the bottle regarding the weight was false and misleading in that on the carton and bottle 4 ounces was the declared weight, when in fact it was over 6 per cent short of the volume stated, and the statements on the label were therefore false and misleading.

On June 9, 1910, the defendant pleaded guilty and was fined \$10.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 4, 1911.*

THE JOURNAL OF THE

AMERICAN MEDICAL ASSOCIATION

PUBLISHED WEEKLY

CHICAGO, ILL., U.S.A.

Vol. 17, No. 1, January 1, 1924

The American Medical Association is a non-profit corporation organized for the purpose of promoting the interests of the medical profession and the public. It was founded in 1847 and has since that time been the leading organization of the medical profession in the United States. The Association is composed of more than 50,000 members, who are physicians, surgeons, dentists, and other medical practitioners. The Association's primary concern is the advancement of the medical profession and the improvement of the medical service to the public. It does this by publishing the Journal, which is the most authoritative source of medical information in the United States. The Journal contains articles on the latest medical research, reports on the activities of the medical profession, and news of the medical world. The Association also publishes a number of other publications, including the American Medical Directory, which is a comprehensive listing of all the medical practitioners in the United States. The Association is also active in the field of medical education, and it has established a number of medical schools and hospitals. The Association's efforts have been instrumental in the development of the medical profession in the United States, and it continues to be a leading force in the advancement of medicine.

The Journal is published weekly, except on Sundays and public holidays. It is printed on high-quality paper and is bound in a durable cover. The Journal is available to all members of the Association for a nominal fee. It is also available to libraries and other institutions. The Journal is a valuable resource for all medical practitioners and is a must-read for anyone interested in the medical profession.

The Journal is published by the American Medical Association, which is a non-profit corporation. The Association is organized into a number of departments, each of which is responsible for a specific area of the Association's activities. The departments are: the Executive Department, which is responsible for the overall management of the Association; the Finance Department, which is responsible for the Association's financial affairs; the Publications Department, which is responsible for the production and distribution of the Journal and other publications; the Education Department, which is responsible for the Association's educational activities; and the Public Relations Department, which is responsible for the Association's relations with the public. The Journal is published by the Publications Department, which is headed by the Editor. The Editor is responsible for the selection and editing of the articles that appear in the Journal. The Editor is assisted by a number of associate editors, who are responsible for the selection and editing of articles in specific fields of medicine. The Journal is a peer-reviewed publication, which means that all articles submitted for publication are reviewed by a panel of experts in the field. This process ensures that the Journal contains only the highest quality medical information.

The Journal is a valuable resource for all medical practitioners and is a must-read for anyone interested in the medical profession. It contains the latest medical research, reports on the activities of the medical profession, and news of the medical world. The Journal is published by the American Medical Association, which is a non-profit corporation. The Association is organized into a number of departments, each of which is responsible for a specific area of the Association's activities. The departments are: the Executive Department, which is responsible for the overall management of the Association; the Finance Department, which is responsible for the Association's financial affairs; the Publications Department, which is responsible for the production and distribution of the Journal and other publications; the Education Department, which is responsible for the Association's educational activities; and the Public Relations Department, which is responsible for the Association's relations with the public. The Journal is published by the Publications Department, which is headed by the Editor. The Editor is responsible for the selection and editing of the articles that appear in the Journal. The Editor is assisted by a number of associate editors, who are responsible for the selection and editing of articles in specific fields of medicine. The Journal is a peer-reviewed publication, which means that all articles submitted for publication are reviewed by a panel of experts in the field. This process ensures that the Journal contains only the highest quality medical information.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1230.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF ESSENCE OF PEPPERMINT.

On March 3, 1911, the grand jurors of the United States within and for the Northern District of California, acting upon a report by the Secretary of Agriculture, returned an indictment to the District Court of the United States for said district, against the Rosenblatt Co. (Inc.), alleging shipment by it, in violation of the Food and Drugs Act, on or about August 13, 1909, from the State of California into the State of Texas, of a consignment of essence of peppermint which was adulterated and misbranded. The product was labeled: (Neck label) "Peppermint Felix Collatin Brand." (Main label) "Guaranteed under the Food and Drugs Act, June 30, 1906. Essence of Peppermint. The Rosenblatt Co. Producers. San Francisco, Calif."

Analysis of a sample of said product by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

Specific gravity, 15.6° C	0.9537
Alcohol (per cent by volume)	38.82
Oil of peppermint (by precipitation)	None.
Coal-tar color	Absent.

Adulteration was charged in said indictment for the reason that a preparation containing little or no oil of peppermint had been mixed and packed with the product so as to reduce or lower or injuriously affect its quality and strength and had been substituted wholly or in part therefor. Misbranding was charged in said indictment because the statements on the label represented said product to be a true extract of peppermint, when in fact it contained little or no oil of peppermint, and the said representations were therefore false and misleading and calculated to mislead and deceive the purchaser.

On September 25, 1911, the defendant entered a plea of guilty and was fined \$100.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 4, 1911.*

19624°—No. 1230—12



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1231.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF TOMATO PASTE.

The United States Attorney for the Northern District of California, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district on December 16, 1910, a libel praying condemnation and forfeiture of 300 cases of 5-pound cans of tomato paste, and on December 29, 1910, two libels praying condemnation and forfeiture of 50 cases of 1-pound cans of tomato paste and 60 cases of 1-pound cans of tomato paste, all in the possession of A. Giurlani & Bro., San Francisco, Cal. The product in each case was labeled: On case: "Rossa La Migliori Conserva Di Tomato-Marca P. R. Packed by Pietro Roncoroni, N. Y." On cans: "Tomato Paste—Conserva di Tomato—Rossa—(Tomato design). This article is guaranteed to be made from the best quality red ripe tomatoes and to contain no artificial coloring."

Analysis of samples of said product taken from each consignment and designated I. S. 9534-c, 9535-c, and 9536-c by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: I. S. No. 9534-c: 1,200 yeasts and spores per one-sixtieth milligram; bacteria 400,000,000 per gram; mold filaments present in about 90 per cent of the fields; small fragments of decayed tissue found in all parts of the sample. One dead fly-like insect found. I. S. No. 9535-c: Yeasts and spores 1,500 per one-sixtieth cmm; bacteria 170,000,000 per gram; mold filaments present in 66 $\frac{2}{3}$ per cent of the fields. I. S. No. 9536-c: Yeasts and spores 500 per one-sixtieth milligram; bacteria 150,000,000 per gram; mold filaments present in 75 per cent of the fields; small fragments of decayed tomato tissues found in all parts of the sample. The libels alleged that the tomato paste in each case after shipment by Pietro Roncoroni Co. (Inc.) from the State of New York into the State of California remained in the original unbroken packages, and was adulterated in violation of the Food and Drugs Act of June 30, 1906, because it

consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, and was, therefore, liable to seizure for confiscation.

On September 16, 1911, the case against the 300 cases of tomato paste coming on for hearing and no one having appeared as claimant, the court entered a decree finding the product adulterated as alleged in the libel, and condemning and forfeiting the same to the United States and ordering its destruction by the marshal; and on January 17, 1911, the cases against the 50 and 60 cases of tomato paste were heard by the court, and no one appearing as claimant, the court entered a decree finding the said tomato paste adulterated as alleged in the libel, and condemning and forfeiting the same to the United States and ordering its destruction by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 4, 1911.*

1231



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1232.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF LAXATIVE BORO PEPSIN.

On July 21, 1911, the United States Attorney for the Eastern District of Missouri, acting upon a report of the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Senoret Chemical Co., a corporation, of St. Louis, Mo., alleging shipment by it, in violation of the Food and Drugs Act, on or about October 24, 1910, from the State of Missouri into the State of Oregon of a quantity of a drug product labeled Laxative Boro pepsin, which was misbranded. The product was labeled: (On carton) "Laxative Boro Pepsin, Trade Mark Registered, Contains 4 per cent. Alcohol. A compound of superior merit. A pleasant laxative for cleansing the system, regulating the kidneys, liver, stomach, and bowels, * * * Manufactured only by Senoret Chemical Company, St. Louis, Mo., U. S. A., * * * Guaranteed by Senoret Chemical Company, under the Food and Drugs Act of June 30, 1906, Serial No. 2235." (On bottle) "Laxative Boro Pepsin, Trade Mark Registered, Contains 4 per cent Alcohol, * * * *."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Alcohol by volume 3.30 per cent; a mere trace of boron compound; no proteolytic power detected. Misbranding was alleged for the reason that the statements contained in the labels upon said bottle and carton mislead and deceive the purchaser into the belief that said product contained boron or boron compound, and pepsin, and possessed the therapeutic and medicinal properties or the value of said substances, when in fact said product did not contain boron or boron compound, or pepsin in any appreciable quantity, or in such quantity as would give it the physiological action produced by boron or pepsin; and that said product did not contain 4 per cent alcohol, as stated on the label.

On September 20, 1911, the defendant pleaded guilty and was fined \$10 and costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 4, 1911.*

19624°—No. 1232—12

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1233.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF COFFEE.

In January and February, 1911, the United States Attorney for the Western District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels against the following products: 60 cases of coffee in the possession of Sugar Bros. Co. (Ltd.), Monroe, La.; 10 cases of coffee in the possession of Hicks Co. (Ltd.), Shreveport, La.; 22 cases of coffee in the possession of Sugar Bros. Co. (Ltd.), Monroe, La.; 100 cases of coffee in the possession of Crawford, Jenkins & Booth (Ltd.), Shreveport, La.; 8 cases of coffee in the possession of Crawford, Jenkins & Booth (Ltd.), Shreveport, La. The label on the product was identical in each case, with the exception of the name of the consignee, and was as follows: "The Original Javaland. International Coffee Company, Houston, Texas," on the shipping cases, and each can in said case was labeled: "The Original Javaland," and in very small type immediately below the central design on the case, as follows: "Coffee, Chickory and Cereal. International Coffee Company, Importers, Roasters, Houston, Texas." On back of each can appeared the following: "Javaland is guaranteed to be superior in every respect to any brand of coffee on the market and requires but one-half the usual amount to make a most elegant drink. The price recommends it to all and a trial only is necessary to substantiate our claims."

Examinations of samples of said coffee taken from each consignment, made by the Bureau of Chemistry of the United States Department of Agriculture, showed it to contain 40 per cent Rio coffee, 40 per cent chicory and 20 per cent cereal. The libels alleged that the coffee, after shipment by the International Coffee Co., Houston, Tex., from the State of Texas into the State of Louisiana, remained in the original unbroken packages and was misbranded in

violation of the Food and Drugs Act of June 30, 1906, and was, therefore, liable to seizure for confiscation. Misbranding was alleged for the reason that the labels were false and misleading and calculated to mislead and deceive the purchaser in this, to wit, the use of the word "Javaland" as a designation of the product represented the presence therein of Java coffee, when, in fact, the product contained no Java coffee and said representation was not corrected by the use of the words on the labels "Coffee, Chicory and Cereal" in small and inconspicuous type.

On February 14, 1911, the several cases coming on for hearing and it appearing that the International Coffee Co. was claimant of the several products, the court found the coffee in each case to be misbranded as alleged in the libel and condemned and forfeited it to the United States, but ordered its release to the claimant upon the payment of the costs in the several cases and the giving of a bond in each case in amounts fixed by the court on condition that the coffee should not again be sold contrary to law.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 5, 1911.*

1233



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1234.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF DR. KENNEDY'S WORM SYRUP, CHERRY BALSAM, AND HERCULINE TONIC.

At a stated term of the Circuit Court of the United States for the Southern District of New York, in the second circuit, begun and held for the district and circuit aforesaid on the first Monday in September, 1911, the United States Attorney for said district, acting upon a report by the Secretary of Agriculture, filed information in three counts in the aforesaid court against the Dr. David Kennedy Co., a corporation, alleging shipment by it, in violation of the Food and Drugs Act of June 30, 1906, on or about July 7, 1910, from the State of New York into the State of Massachusetts of quantities of certain drug products labeled worm syrup, cherry balsam, and herculine tonic, respectively, which were misbranded.

The worm syrup was labeled: (Outside carton) "Half dozen Dr. David Kennedy's Worm Syrup. The Best in the world. It is purely vegetable, perfectly harmless and always effective. Prepared by Dr. David Kennedy of Rondout, N. Y. Price 25 cts. a bottle. We hereby guarantee that this preparation is not adulterated or misbranded, under the Food and Drugs Act of June 30, 1906. Dr. David Kennedy's Sons, Rondout, N. Y. This preparation contains 5% of the purest grain alcohol." (Carton containing bottle): "Dr. David Kennedy's Worm Syrup. The best in the world. It is purely vegetable. Perfectly harmless, and the most effective known. Directions * * * Prepared by Dr. David Kennedy, Rondout, N. Y. Price 25 cents per bottle. Prepared by Dr. D. Kennedy, Rondout, N. Y. Dr. David Kennedy's Genuine Preparations. Dr. Kennedy, M. D. Rondout, N. Y. We hereby guarantee that this preparation is not adulterated or misbranded under the food and drugs act of June 30th, 1906. Dr. David Kennedy's Sons, Rondout, N. Y. This preparation contains 5% of the purest grain alcohol." (On bottle): "Dr. D. Kennedy's Worm Syrup. Directions."

(same as carton). Guarantee statement on back of bottle and same as on cartons. (On circular): "It can not do the least harm. Active and sure in destroying all kinds of worms. The best worm medicine in the world. The number of these worms expelled by Dr. Kennedy's Worm Syrup is truly astonishing."

Analysis of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed it to be a hydro-alcoholic solution of santonin (partly deposited), sugar, oil of anise, and undetermined matter. Misbranding was alleged in the first count of the information against this product because it was stated on the label that the article was harmless and contained no harmful ingredient, which statement was false and misleading, because said product consisted in part of santonin, an ingredient possessing toxic properties which are injurious to health.

The Cherry Balsam was labeled: (On carton): "Dr. David Kennedy's Cherry Balsam. For the cure of consumption and hemorrhage of the lungs, affections of the throat, such as colds, coughs, asthma, whooping-cough, croup, hoarseness and bronchitis. Dose: Adults, one teaspoonful three times a day. Children from five to fifteen drops three times a day. See circular for full directions. Prepared only by Dr. David Kennedy, Physician and Surgeon, Rondout, N. Y., U. S. A. Price, one dollar. D. Kennedy, M. D. Prepared by Dr. David Kennedy, Rondout, N. Y. Dr. David Kennedy's Cherry Balsam is guaranteed under the Food and Drugs Act of June 30, 1906. It contains 15.6% of pure grain alcohol, and each fluid ounce 1.42 grains powdered opium. U. S. P. Dr. David Kennedy's Sons, Rondout, N. Y. Dr. David Kennedy's Genuine Preparations, D. Kennedy, M. D., Rondout, N. Y." (On bottle): Practically same label as carton. (Blown in bottle): "Dr. David Kennedy's Cherry Balsam, Rondout, N. Y." (Circular packed with the bottle contained the following statements, among others): "It contains no deleterious drug and can be safely administered to the most debilitated adult or the most delicate child. It strikes at the very root of pulmonary disease."

Examination of a sample of said product, by the Bureau of Chemistry of the United States Department of Agriculture, showed it to be a hydro-alcoholic solution of opium, sugar, benzaldehyde, inorganic salts, color, and undetermined matter; alcohol 13.57 per cent by volume, opium 1.46 grains per fluid ounce. Misbranding was charged in the second count of the information against said product for the reason that the label stated the article to be harmless and to consist of cherry bark extract or balsam, when, in fact, said article did not contain any cherry bark extract or balsam, and the statement on the label was, therefore, false and misleading and calculated to deceive and mislead the purchaser.

The Herculine Tonic was labeled: (On carton): "Herculine Tonic. * * * No. 943. Guaranteed under the Food and Drugs Act of June 30, 1906. Universally endorsed and prescribed by the Medical Profession. For appetite, health and vigor. It is inestimable in stimulating intellectual Activity, Preventing Exhaustion, Accelerating Respiratory Movement, Promoting Convalescence, Creating Digestion, Giving Tone to languid Nerves, and in removing all cerebral pains, hysteria in women and Neuralgia of the Heart. An efficient preparation of acknowledged merit. Discovered by David Kennedy, M. D., Kennedy Row, Kingston, N. Y., U. S. A. * * * Removes fatigue of both body and mind. It is of the greatest service to singers and speakers for while bracing the nerves it strengthens the voice, causes absolutely no reaction or depressing after effects, but promotes appetite and aids digestion of feeble persons. Herculine Tonic—is most valuable and strengthening." (On bottle): "Herculine Tonic. Is unsurpassed for the cure of General Debility, Nervous weakness, Dyspepsia, Indigestion, Mental and Physical Exhaustion from Overwork, and all diseases arising from a Disordered condition of the Nerves, Stomach and organs of Digestion. It is unequaled in convalescence and for Strengthening the System during, or subsequent to an attack of fever * * *."

Analysis of a sample of this product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed it to consist of alcohol by volume 16 per cent, non-volatile matter 35.64 per cent, ash 2.24 per cent, reducing sugars (as invert) 19.98 per cent, quinine 0.065 per cent, water, glycerine, and undetermined matter 64.765 per cent. Misbranding was alleged in the third count of the information against this product for the reason that it was labeled so as to mislead and deceive purchasers in that the label failed to disclose either the percentage or volume of alcohol contained in the product.

On October 9, 1911, defendant pleaded guilty to all three counts of the information and was fined \$100 on each of the second and third counts, or a total of \$200. On the first count the court suspended sentence, stating that even in the case of a plea of guilty he would consider the substance of the offense, and did not believe that the statement on the label, to the effect that the article was harmless, was in any way inconsistent with the fact that the article contained santonin, because, although santonin is a poisonous article, it might have been, and probably was, in the product in such quantities as not to injure anyone.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 5, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1235.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF CHERRY JAM, RASPBERRY JELLY, TOMATO CATSUP, AND STRAWBERRY JAM.

On October 28, 1910, the Grand Jurors of the United States within and for the Northern District of California returned an indictment to the United States District Court for said District against the California Fruit Cannery Association, a corporation, charging in four counts violations of the Food and Drugs Act in the manner following:

(1) Shipment on the 27th day of November, 1909, from the State of California into the State of Texas of 15 cases of strawberry jam, which was adulterated. The product was labeled: "Sweet Brier Brand Strawberry Jam. California Fruit Cannery Association, San Jose, California. Registered." Analysis by the Bureau of Chemistry, United States Department of Agriculture, of a sample of this product showed the following results:

	Per cent.
Solids.....	63.20
Nonsugar solids.....	5.97
Sucrose, Clerget.....	16.13
Sucrose by copper.....	16.24
Reducing sugars as invert.....	41.10
Polarization direct, temperature 20° C.....	+5.0
Polarization invert, temperature 20° C.....	-16.4
Ash.....	.43
Soluble solids.....	58.20
Benzoates.....	Absent
Coal-tar color.....	Absent

Yeasts and spores 50 per one sixtieth cmm.

Bacteria very few. Product is not well pulped and in about half the sample six or seven moldy fruits were found, indicating that decomposed fruit was used in manufacturing.

Adulteration was charged in the first count of the indictment for the reason that the product consisted in part of a decomposed vegetable substance and was unfit for human consumption.

(2) Shipment on March 22, 1909, from the State of California into the State of Idaho of 20 cases of assorted jellies which were adulterated. The product was labeled: "Rose Brand Raspberry Flavor Blended Fruit Juice Jelly. Cutting Packing Co., San Francisco, Cali." Analysis of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results:

	Per cent.
Solids.....	62. 87
Nonsugar solids.....	3. 67
Sucrose, Clerget.....	14. 92
Sucrose, by copper.....	15. 88
Reducing sugars as invert.....	44. 28
Polarization direct, temperature 20° C.....	-4. 2
Polarization invert, temperature 20° C.....	-24. 0
Ash.....	.52
Starch added.....	None.
Benzoic acid.....	None.

Fruit pulp cells present. No evidence of raspberry. Not fit for consumption because of the large number of yeast organisms present. No evidence of agar.

Adulteration was charged against this product for the reason that it consisted in part of a decomposed vegetable substance and was unfit for human consumption.

(3) Shipment on August 31, 1908, from the State of California into the State of Utah of a quantity of cherry jam which was adulterated. The product was labeled: "National Brand Selected Quality Cherry Jam, California Fruit Canner's Association, Successors to the Lincoln Fruit Packing Co., Lincoln, Placer Co., Cal., Serial No. 6623." Analysis of samples of this product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

	Per cent.
Solids.....	57. 22
Nonsugar solids.....	4. 51
Sucrose, Clerget.....	27. 11
Sucrose, by copper.....	24. 77
Reducing sugars as invert before inversion.....	25. 60
Polarization direct, temperature 20° C.....	+16. 0
Polarization invert, temperature 20° C.....	-20. 0
Ash.....	.64
Coal-tar color.....	Absent.
Benzoates.....	Absent.
Soluble solids.....	55. 00

Microscopical Examination: Cherry Jam. A mass of thoroughly disintegrated cherry tissue, yeast cells, spores and mold. Not fit for consumption. Consider-

able foreign tissue present as cherry stems and some undetermined vegetable tissue.

Adulteration was alleged against this product for the reason that it consisted in part of a decomposed vegetable substance and was unfit for human consumption.

(4) Shipment by the California Fruit Canners Association, on July 12, 1909, from San Francisco, Cal., to Haas, Baruch & Co., Los Angeles, Cal., 15 cases of tomato catsup which it had sold to the said Haas, Baruch & Co., under a general guaranty that the said product complied with the Food and Drugs Act of June 30, 1906; and further shipment by the said Haas, Baruch & Co., relying upon said guaranty, of the catsup without altering or changing it in any manner on July 14, 1909, from the State of California into the Territory of Arizona. The product was labeled: "New Process Tomato Catsup Unfermented. Cutting Packing Co., San Francisco, Cal. This catsup is pure and free from artificial coloring. Preserved with 1-10 of 1% Benzoate of Soda." Analysis of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results:

Benzoate of soda (per cent)-----	.156
Lead test-----	negative
Tin test-----	negative
Color test coal-tar dye-----	negative

Iodine reaction quite marked. No characteristic starch granules seen. No oil present. Yeasts and spores 30 per one-sixtieth cmm., bacteria very few, molds quite numerous, and traces of decayed tissue present.

Prosecution was directed against the defendant on its general guaranty, and adulteration was charged against the product for the reason that it consisted of a decomposed vegetable substance and was unfit for human consumption.

On November 26, 1910, the defendant corporation entered a plea of guilty to each of the counts of the indictment and was fined \$25 on each count, or a total of \$100.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 6, 1911.*

The first part of the document is a letter from the Secretary of the Board of Directors to the shareholders. It is dated the 1st day of January, 1900. The letter is addressed to the shareholders of the company and is signed by the Secretary. The letter contains information about the company's financial condition and the results of the year's operations. It also mentions the dividend payment and the election of directors for the coming year.

The second part of the document is a report from the Board of Directors to the shareholders. It is dated the 1st day of January, 1900. The report is addressed to the shareholders of the company and is signed by the Chairman of the Board. The report contains information about the company's financial condition and the results of the year's operations. It also mentions the dividend payment and the election of directors for the coming year.

The third part of the document is a resolution of the Board of Directors. It is dated the 1st day of January, 1900. The resolution is addressed to the shareholders of the company and is signed by the Chairman of the Board. The resolution contains information about the company's financial condition and the results of the year's operations. It also mentions the dividend payment and the election of directors for the coming year.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1236.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF MILK.

An August 31, 1911, Russell C. Thomas, of Lime Kiln, Md., sold and delivered at the Union Station, Washington, D. C., a quantity of milk. Dr. William C. Woodward, Health Officer for the District of Columbia, acting under authority of the Secretary of Agriculture, caused a sample from the above delivery to be procured and analyzed. As it appeared from the findings of the analyst and report made that the said milk was adulterated within the meaning of the Food and Drugs Act of June 30, 1906, the said Russell C. Thomas was afforded an opportunity for hearing, and as it appeared, after hearing held, that the said sale was made in violation of the act, the said Health Officer reported the facts to the United States Attorney for the District of Columbia.

In due course a criminal information against the said Russell C. Thomas was filed in the Police Court, District of Columbia, charging that the milk was adulterated in that it had been mixed and packed with a substance, to wit, water, which reduced and lowered its quality. On October 14, 1911, the defendant entered a plea of guilty and the court imposed a fine of \$10.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 6, 1911.*

20835°—No. 1236—12



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1237.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF CANNED TOMATOES.

On July 29, 1911, the United States Attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Clinton B. Ayars Canning Co., a corporation, alleging shipment by it, in violation of the Food and Drugs Act, on or about August 4, 1910, from the State of New Jersey into the State of Pennsylvania, of 822 cans of tomatoes, which were adulterated. The product was labeled: "Emerson Brand Tomatoes. These Tomatoes are carefully selected and packed expressly for the finest trade. Finest quality Emerson Brand Tomatoes. Packed by B. S. Ayars & Sons Co., Bridgeton, N. J."

Examination of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Total acid as citric, 0.53 per cent; volatile acids as acetic, 0.04 per cent; lactic acid, 0.08 per cent; polarization -3.7° ; alcohol, traces; butyric acid, traces; yeasts and spores 27 per cent per one-sixtieth cmm., bacteria 48,000,000 per cc., mold filaments in 45 per cent of the fields, which indicated a partially decomposed state in the product. Adulteration was alleged against said product for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, as shown by the aforesaid examination.

On September 18, 1911, the defendant corporation pleaded non vult, and sentence was suspended by the court.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 6, 1911.*

20335—No. 1237—12

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1238.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF EXTRACT OF PEPPERMINT.

At the July term of the District Court of the United States for the Northern District of California the grand jurors of the United States within and for said district returned an indictment against Fleischmann-Clark Co., a corporation, of the city of San Francisco, in said district, charging shipment by it, in violation of the Food and Drugs Act, on or about December 11, 1909, of a quantity of extract of peppermint, which was adulterated and misbranded, from the State of California into the State of Nevada. The product was labeled "Our Guarantee as to purity and quality is represented by our trade mark. Trade Mark Registered. Superior Quality Trade Mark Registered EXTRACT OF PEPPERMINT, Our Guarantee as to purity and quality is represented by our trade mark. Artificially colored."

The said indictment was based upon a report of the Secretary of Agriculture showing the following results of an analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture.

Specific gravity	_____	. 9357
Alcohol by volume (per cent)	_____	49. 6
Methyl alcohol	_____	None
Oil of peppermint (Howard Meth.)	_____	None
Artificially colored with an unidentifiable dye.		

Adulteration was charged against the product for the reason that an imitation extract of peppermint had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part therefor, and because the said product had been colored in a manner whereby its inferiority was concealed. Misbranding was alleged for the reason that said product was in imitation of and sold under the distinctive

name of another article, to wit, extract of peppermint, and for the reason that the statement "Superior quality Extract of Peppermint," borne on the label, was false and misleading and calculated to deceive and mislead the purchaser, because said product was not a superior quality extract of peppermint, but an imitation thereof.

On November 19, 1910, the defendant corporation entered a plea of guilty and was fined \$5.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 7, 1911.*

1238

O

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1239.

(Given pursuant to section 4 of the Food and Drugs Act.)

ALLEGED MISBRANDING OF MUSTARD.

During the month of July, 1911, the United States Attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district, against Joseph P. Wilde, alleging that on April 23, 1910, the said Joseph P. Wilde sold and delivered to William Montgomery & Co. a quantity of mustard, under a general guaranty that said product was not adulterated or misbranded within the meaning of the Food and Drugs Act of June 30, 1906, and that on or about May 21, 1910, the said William Montgomery & Co., without changing said product in any particular, shipped the same from the State of Pennsylvania into the State of New Jersey. The product was labeled: "Prima Dusseldorfer style, Wein-Senf. Prepared and especially packed for Joseph P. Wilde, Importer, Philadelphia, Pa. FORMULA: Mustard Seed 24 per cent. Vinegar, Salt and Spices."

Examination of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results:

Color	Turmeric.
	Per cent.
Water	79.21
Total solids	20.79
Ash	3.32
NaCl	2.20
Nitrogen	0.74
Protein	4.62
Protein (fat, salt, and water free)	34.85
Acidity as acetic acid	2.82

Misbranding was alleged for the reasons that the words 'Prima Dusseldorfer, Wein-Senf,' the name of the product, together with the word "Importer" appearing on the label, convey the impression that the product was a foreign product imported from Dusseldorf, Germany, when in fact it was of domestic manufacture, and the label was therefore false and misleading, and calculated to deceive and mislead the purchaser.

On September 19th, 1911, the case was tried by a jury and resulted in a verdict of not guilty.

JAMES WILSON,

Secretary of Agriculture.

WASHINGTON, D. C., *December 7, 1911.*

1239

O

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1240.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF SYRUP.

At a stated term of the District Court of the United States for the Northern District of California, begun on the second Monday of July, 1911, the grand jurors of the United States within and for said district returned an indictment against the Gordon Syrup & Pickle Co., a corporation, charging shipment by it, in violation of the Food and Drugs Act, on or about February 11, 1909, from the State of California into the Territory of Arizona, of a quantity of syrup which was misbranded. The product was labeled: "Rose Bud Drips. Gordon Syrup and P. Co. Oakland, San Francisco, California. OUR GUARANTEE. We fully guarantee the quality of this syrup in every particular. Money back if not satisfactory. Gordon Syrup & Pickle Co., General Offices, San Francisco, U. S. A. Syrup Refinery Oakland, California, Compound of Pure Cane and Corn Syrup."

An analysis of a sample of said product by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

	Per cent.
Total solids	70.90
Nonsugar solids	25.46
Sucrose, Clerget	21.80
Sucrose, by copper	20.10
Reducing sugars as invert	23.64
Commercial glucose (factor 163)	56.10
Polarization direct, temperature 20° C	118.6
Polarization invert, temperature 20° C	89.6
Polarization invert, 87° C	91.6
Ash	1.76

Misbranding was alleged for the reason that the label was false and misleading, in that the word "Drips" appearing thereon, in

connection with sugar products, means a product obtained by allowing the drippings from sugar that had been boiled down to a grain for the production of sugar to drain from the sugar crystals, this product being termed "Drips," whereas the product called "Rosebud Drips" was a product composed of over 50 per cent commercial glucose, and was not what is commercially known as "Drips."

On December 17, 1910, defendant company pleaded guilty and was fined \$10.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 7, 1911.*

1240



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1241.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF CIDER VINEGAR AND CATSUP.

On October 20, 1910, the grand jurors of the United States within and for the Northern District of California returned an indictment to the United States District Court for said district against the Lewis Packing Co., a corporation, in which it was charged that on January 26, 1909, the said Lewis Packing Co. sold to Wellman, Peck & Co. a quantity of cider colored vinegar, which was adulterated and misbranded, and which had been guaranteed by the said Lewis Packing Co. under the provisions of the Food and Drugs Act of June 30, 1906; that on January 30, 1909, Wellman, Peck & Co. shipped the said product from the State of California into the State of Nevada. The product was labeled "Cider Colored Vinegar."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Solids (grams per 100 cc), 0.27; reducing sugars (grams per 100 cc), 0.08; reducing sugars in solids (per cent), 29.63; polarization, +0.55; ash (grams per 100 cc), 0.038; ash in solids, 14.07 per cent; alkalinity of water soluble ash (cc N/10 acid per 100 cc), 1.2; soluble P_2O_5 (mg per 100 cc), 0.32; insoluble P_2O_5 (mg per 100 cc), 2.36; total acid, as acetic (grams per 100 cc), 4.56; volatile acid, as acetic (grams per 100 cc), 4.557; fixed acid, as malic (grams per 100 cc), 0.003; color removed by fuller's earth, 79.0 per cent; color on tintometer, 12.0; lead acetate precipitate, none; salicylates and benzoates, absent.

The indictment further charged that the said Lewis Packing Co. shipped, in violation of the Food and Drugs Act, on or about July 23,

1909, from the State of California into the State of Oregon a quantity of catsup which was adulterated. This catsup was labeled: "Red Rose Catsup put up by Lewis Packing Co., San Francisco, Calif. Preserved with 1/10 of 1% of Benzoate of Soda."

Analysis of a sample of this product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results: Solids, 17.80 per cent; soluble solids, 16.51 per cent; ratio insoluble to soluble solids, 1:12.8; ash, 3.28 per cent; NaCl, 2.71 per cent; sand, 0.006 per cent; acids as acetic, 0.99 per cent; sodium benzoate, 0.170 per cent; polarization direct, 20° C., 10.1; polarization invert, 20° C., 6.8; sugar after inversion as invert, 8.6 per cent; settling test, 128 cc; starch, very small amount present; coal-tar color, absent; sulphites, absent; salicylic acid, absent; alkalinity of ash (cc N/10 acid per gram ketchup), 0.66; glucose, present; 87° polarization, 8.2°; glucose (factor 163), 5.0 per cent; alkalinity salt-free ash (cc N/10 acid per gram salt-free ash), 115. Microscopic analysis: No tissues foreign to tomato detected. No skins or indication of "trimming stock."

The indictment was based upon reports of the Secretary of Agriculture showing the said products to be adulterated and misbranded as indicated by the aforesaid analyses. Adulteration was charged against the vinegar for the reason that a substance, to wit, a dilute solution of acetic acid, artificially colored, had been mixed and packed with the product so as to injuriously lower and affect its strength, and had been substituted wholly or in part therefor. Misbranding was charged against said vinegar for the reason that it was labeled "Cider Colored Vinegar", which was false and misleading, because said product was not a cider vinegar, but a dilute solution of acetic acid, colored in imitation of cider vinegar. Adulteration was charged against the catsup because there had been mixed and packed with it a substance, to wit, glucose, which reduced and lowered its strength and quality, and which substance had been substituted in part for said catsup. Misbranding was charged against the catsup for the reason that it was represented as catsup without qualification; when, in fact, it contained glucose, the presence of which was not made known to the purchaser, which representation was therefore false and misleading.

On November 14, 1910, the defendant company pleaded guilty to the charges in the indictment and was fined \$25.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 7, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1242.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF TOMATO SAUCE.

At a stated term of the Circuit Court of the United States for the Southern District of New York, held on the first Monday of July, 1911, the United States Attorney for said district, acting upon a report by the Secretary of Agriculture, filed information in said court against Ignatius Gross Co., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 1, 1910, from the State of New York into the State of Pennsylvania, of a quantity of tomato sauce which was adulterated. The product was labeled: "Salsa de Pomodoro Garantita Pura Tomato Sicilia Sauce (Italia) Puree concentree di Tomatoes Carento Puro."

Analysis of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results: Yeasts and spores, 119 per one-sixtieth cmm.; bacteria, 130 million per cc.; mold filaments in 65 per cent of the microscopic fields examined. Adulteration was alleged for the reason that said product consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On October 9, 1911, defendant company pleaded guilty and was fined \$25.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 7, 1911.*

20335°—No. 1242—12



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1243.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF CANDY.

On August 28, 1911, the United States Attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Bradley-Smith Co., a corporation, New Haven, Conn., alleging shipment by it, in violation of the Food and Drugs Act, on or about November 2, 1910, from the State of Connecticut into the State of Pennsylvania of ten boxes of candy which was adulterated and misbranded. The product was labeled: "London Creams, Purity Guaranteed, Assorted, Serial No. 2628."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

Iodin number of coating.....	43.37
Rosin.....	Present
As ₂ O ₃ (arsenious oxid) in coating.....	12.4 mg per kilo.

Adulteration was alleged for the reason that said candy was coated with shellac containing arsenic, a poisonous substance deleterious and detrimental to health. Misbranding was alleged because the statement on the label, "London Creams," represented the product to be pure candy when, in fact, it was a mixture of candy with shellac, a resinous, inedible substance containing arsenic, which substance was deleterious and detrimental to health, and said representation was, therefore, false and misleading and calculated to deceive and mislead the purchaser.

On September 26, 1911, the defendant pleaded guilty and was fined \$37.50, without costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., December 7, 1911.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1244.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF CANDY.

On September 22, 1911, the United States Attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Bradley-Smith Co., a corporation, New Haven, Conn., alleging shipment by it, in violation of the Food and Drugs Act, on or about February 9, 1911, from the State of Connecticut into the State of Massachusetts of a quantity of candy which was adulterated. The product was labeled: "Walnut Yale Fudge, five cents. Chocolate. Guaranteed by The Bradley Smith Co., New Haven, Conn., under the Food and Drugs Act, June 30, 1906, Serial Number 2628."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

Moisture (per cent)-----	9.91
Nitrogen (per cent)-----	.57
Coated on top with a resinous coating.	
Iodin number of resin (unpurified)-----	20
Arsenious oxid (parts per million)-----	.36
Arsenious oxid in resin coating (parts per million)-----	15
Test for gum benzoin-----	Negative.
Test for rosin-----	Negative.
Microscopical examination:	

But a small amount of the product of the coca bean present. The coating on this candy is apparently bleached shellac; the candy contains but about 5 per cent of chocolate.

Adulteration was alleged for the reason that said product was coated with shellac containing arsenic, a poisonous substance deleterious and detrimental to health.

On September 26, 1911, the defendant entered a plea of guilty and was fined \$37.50, without costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 8, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1245.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF EVAPORATED APPLES.

On July 21, 1911, the United States Attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against Hofmann Bros. Produce Co., a corporation, St. Louis, Mo., alleging shipment by it, in violation of the Food and Drugs Act, on or about June 18, 1910, from the State of Missouri into the State of Alabama of a consignment of evaporated apples, which was misbranded. The product was labeled: "Eureka Choice Evaporated Apples Carefully Selected Choice Winter Apples Made from the very best selected apples, sulphur bleached—No. 12."

Examination of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Cores, skins, seeds, and other inedible substances, 7.4 per cent; fragments, 14.8 per cent; sound and good sized pieces, 77.8 per cent. Misbranding was alleged for the reason that the statements on the label of said product created the impression and led the purchaser thereof to believe that said product was first quality, and prepared from choice, carefully selected apples, peeled and cored, and that said product was of the highest grade, and conformed to the commercial standard for such article, when in fact said product did not consist of and was not prepared from choice, carefully selected apples, peeled and cored, but consisted to a large extent of cores, skins, seeds, and fragments of apple.

On September 18, 1911, the defendant entered a plea of guilty and was fined \$10 and costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., December 8, 1911.

United States Department of Agriculture

Office of the Chief of Bureau

Report of the Chief of Bureau

for the year ending June 30, 1900

CONTENTS OF REPORT

REPORT OF THE CHIEF OF BUREAU FOR THE YEAR ENDING JUNE 30, 1900. The report of the Chief of Bureau for the year ending June 30, 1900, is a comprehensive statement of the work of the Department of Agriculture during the year. It contains a detailed account of the various activities of the Department, including the work of the various bureaus, the work of the various offices, and the work of the various field stations. The report also contains a statement of the financial condition of the Department, and a statement of the progress of the various projects of the Department. The report is a valuable document for the study of the work of the Department of Agriculture, and for the study of the progress of the various projects of the Department.

W. A. RORER, Chief of Bureau.

Printed by the Government Printing Office, Washington, D. C.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1246.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF FIGS.

On August 14, 1911, the United States Attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States for said district a libel praying condemnation and forfeiture of 30 bags of figs in the possession of A. J. Medlar Co., Philadelphia. The product bore no label other than the name and address of the consignee.

Samples obtained from each of six of the bags in said shipment were analyzed by the Bureau of Chemistry of the United States Department of Agriculture, and the analysts' report upon three of the divisions of the samples is as follows: (1) Figs passable, 9.1 per cent; figs wormy, 24.3 per cent; figs containing excreta, 8.5 per cent; figs dirty and fermented, 6.7 per cent; figs containing sugar mites, 51.2 per cent; four live worms found. (2) Figs passable, 4.0 per cent; figs decayed, 1.5 per cent; figs containing excreta, 13.8 per cent; figs containing worms, 20.4 per cent; figs containing sugar mites, 60.3 per cent; most of the figs were also fermented and dirty; ten live worms found. (3) Figs passable, 15.8 per cent; figs wormy, 23.8 per cent; figs containing excreta, 8.8 per cent; figs dirty and fermented, 12.5 per cent; figs moldy, 0.5 per cent; figs containing sugar mites, 38.4 per cent; five live worms found. In addition, the analysts report the "appearance of all samples poor. All samples badly infested with sugar mites, also somewhat fermented." The libel alleged that the product after shipment by J. Kusykin & Co., from the State of New York into the State of Pennsylvania, remained in the original unbroken packages, and was adulterated in violation of the Food and Drugs Act of June 30, 1906, because it consisted in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, and was therefore liable to seizure for confiscation.

On October 6, 1911, the case coming on for hearing, the court found the product adulterated, as alleged in the libel, and condemned and forfeited it to the United States, and ordered its destruction by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 8, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1247.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF "CREME DE CACAO"; ADULTERATION AND MISBRANDING OF BLACKBERRY CORDIAL; ADULTERATION AND MISBRANDING OF PEPPERMINT EXTRACT; MISBRANDING OF "BERNARDINE"; ADULTERATION AND MISBRANDING OF BLACKBERRY CORDIAL; MISBRANDING OF "CREME DE CASSIS"; MISBRANDING OF CHAMPAGNE; MISBRANDING OF "ORANGE CURACAO."

On November 1, 1910, the Grand Jury of the United States for the Northern District of California, in the city of San Francisco, after presentation by the United States Attorney for said district, upon a report of the Secretary of Agriculture, returned an indictment against E. G. Lyons & Raas Co., a corporation, San Francisco, Cal., in eight counts, charging shipments by said concern, in violation of the Food and Drugs Act, of adulterated and misbranded products, in the manner hereinafter stated, as follows:

(1) On February 14, 1910, shipment from the State of California into the Territory of Arizona of one case of "Creme de Cacao" which was misbranded. The product was labeled: "E. Dubreuil & Fils Fine Liqueurs Extra Creme de Cacao Superfine Guaranteed under Serial Number 16701." Examination of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed it to be of domestic origin. Misbranding was charged in the indictment against said product because the entire label gave to the purchaser the impression that the product was a foreign product, and was calculated to deceive and mislead the purchaser into the belief that it was a foreign product when, in fact, it was not such but was of domestic manufacture, having been manufactured in the city of San Francisco, Cal.

(2) On December 31, 1909, shipment from the State of California into the State of Oregon of two barrels of blackberry flavor cordial which was adulterated and misbranded. The product was labeled: "Monogram Blackberry Flavor Cordial. Contains 1/10 of 1 per cent Benzoate of Soda. Artificially colored. Sweetened with Sac-

charine." Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

Specific gravity	1. 1130
	Per cent.
Alcohol, per cent by volume	9. 40
Solids	29. 40
Nonsugar solids	14. 50
Sucrose	None.
Reducing sugar invert	14. 90
Sugar in solids	50. 69
Polarization direct, temperature 16° C	43. 3
Polarization invert, temperature 16° C	42. 8
Polarization invert, temperature 87° C	43. 6
Ash	. 36
Glucose, 163 factor	26. 70
Esters as ethyl acetate (original)	. 0363
Esters as ethyl acetate (100 proof alcohol)	. 271
Benzoate of soda	. 07
Color	Archil or a lake of archil.

Adulteration was charged in the indictment against said product for the reason that an imitation blackberry cordial prepared from glucose, artificial flavoring matter, coloring matter, and saccharin had been mixed and packed with the article so as to reduce and lower its quality and strength, and said imitation blackberry cordial containing said ingredients had been substituted wholly or in part for the article. Misbranding was charged for the reason that the words "blackberry flavor cordial" were false and misleading as representing to the purchaser that the article was a genuine blackberry cordial prepared from blackberry fruit when, in fact, the article had been prepared from glucose, artificial flavoring matter, coloring matter and saccharin, making an imitation blackberry cordial whereby the purchaser would be deceived and misled.

(3) On April 28, 1909, shipment from the State of California into the Territory of Arizona of one 10-gallon keg of peppermint, which was adulterated and misbranded. The product was labeled: (On one side) "Peppermint. E. G. Lyons & Raas Co. Wholesale Liquor Dealers." (On the reverse side) "Peppermint. A. Steinfeld Co., Tucson, Ariz." Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

Specific gravity	0. 9587
Alcohol (per cent by volume)	36. 3
Oil of peppermint	Absent.

Adulteration was charged in the indictment against said product for the reason that, whereas extract of peppermint contains not less than 3 per cent by volume of oil of peppermint, the said product

contained only a trace of peppermint oil and was mixed with a highly diluted peppermint extract sold in imitation of the genuine peppermint extract, which article reduced and lowered the quality and strength of the product and which diluted product was substituted in whole or in part for the genuine extract of peppermint. Misbranding was charged for the reason that the statement on the label was false and misleading, in that it gave to the purchaser the impression that he was buying a genuine extract of peppermint when, in fact, the product was not a genuine extract of peppermint but a highly diluted extract of peppermint sold in imitation of peppermint extract.

(4) On February 14, 1910, shipment from the State of California into the Territory of Arizona of two cases of "Bernardine" which was misbranded. The product was labeled: "Bernardine A M D G E. Dubreuil & Fils. Guarantee No. 16701. Liquor Extractus ex herbis Radicibusque." Examination of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed it to be of domestic origin. Misbranding was charged in the indictment against the product for the reason that it was so labeled as to give the impression that said product was a foreign liquor and the entire wording of the label was calculated to deceive and mislead the purchaser into the belief that it was a foreign product when, in fact, it was not a foreign product but a domestic product manufactured and bottled in the State of California.

(5) On October 18, 1909, shipment from the State of California into the State of Washington of 660 gallons of blackberry flavor cordial which was adulterated and misbranded. The product was labeled: (On the barrel) "Blackberry Flavor Cordial. E. G. Lyons & Raas Co., 430-34 Bryant St., San Francisco, Cal." Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

Specific gravity 15.6° C/15.6° C. (by hydrometer)-----	1.110
	Per cent.
Alcohol (by volume)-----	10.23
Solids -----	29.77
Sucrose -----	Absent.
Reducing sugar as dextrose-----	16.1
Polarization direct, temperature 20° C-----	37.7
Polarization invert, temperature 20° C-----	37.0
Polarization invert, temperature 87° C-----	37.4
Ash -----	0.33
Fixed acid as tartaric-----	0.40
Glucose (175°) -----	22.95
Benzoate of soda -----	0.097
Saccharin -----	Present.
Coal-tar dye-----	Present.

Adulteration was charged in the indictment against said product for the reason that an imitation blackberry cordial prepared from glucose, artificial flavoring matter, saccharin, and colored with coal-tar dye had been mixed and packed with the article so as to reduce and lower its quality and strength, and that said imitation blackberry cordial containing said ingredients had been substituted wholly or in part for the article. Misbranding was charged for the reasons that the words "blackberry flavor cordial" appearing on the label are false and misleading as representing to the purchaser that the article is a genuine blackberry cordial prepared from blackberry fruit when, in fact, the article had been prepared from glucose, artificial flavoring matter, and saccharin, and colored with a coal-tar dye, making an imitation blackberry cordial, whereby the purchaser might be misled and deceived.

(6) On February 26, 1910, shipment from the State of California into the Territory of Arizona of a case of "Creme de Cassis" which was misbranded. The product was labeled: "Creme de Cassis, Cordial, Barriere & Co., Brand, Guaranteed under Serial Number 5408." Examination of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed it to be of domestic origin. Misbranding was charged in the indictment against said product for the reason that the entire label was false and misleading, in that it gave to the purchaser the impression that the said product was a foreign product. Said label was, therefore, calculated to deceive and mislead the purchaser into the belief that said product was a foreign product when, in fact, it was not such, but was of domestic manufacture—manufactured and prepared in the State of California, and said label contained no inscription to indicate the place of manufacture.

(7) On October 15, 1909, shipment from the State of California into the State of Colorado of 10 cases of champagne which was misbranded. The product was labeled: (Neck) "Champagne Extra Dry E. Dubreuil & Fils." (Main) "Extra Dry Champagne E. Dubreuil & Fils. Guaranteed under Registered Serial Number 16701." Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

Measure (cc.)	388
Specific gravity	1.0029
Alcohol (by volume)	12.48
Glycerol	.55
Solids	3.04
Nonsugar solids	1.04
Sucrose by Clerget	.2
Reducing sugar, invert	1.8
Polarization direct, temperature 20° C. (normal solution)	— .2

Polarization invert, temperature 20° C. (normal solution).....	—0.55
Ash22
SO ₂ (mg per liter).....	136
Acid, as tartaric50

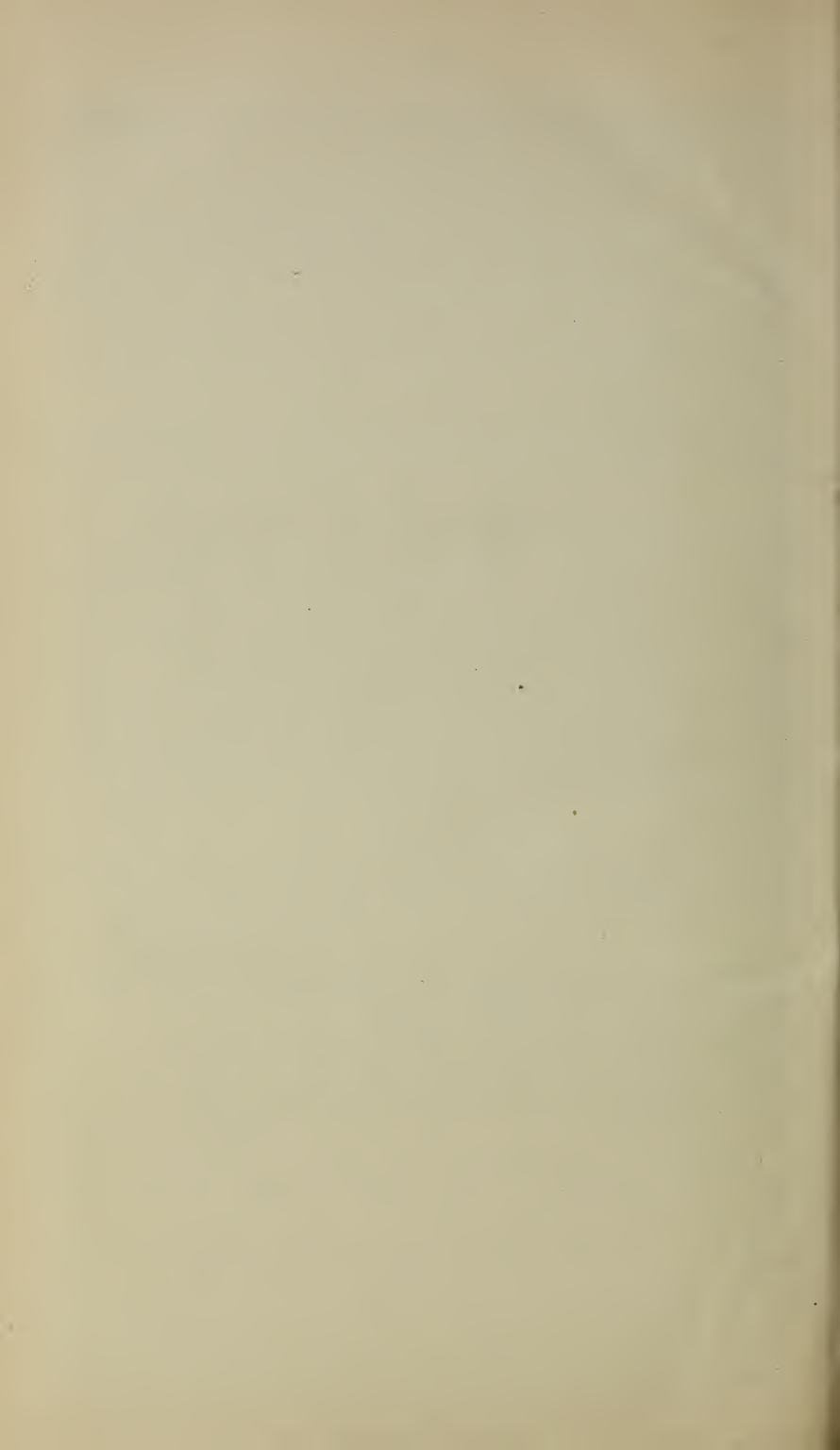
Misbranding was charged in the indictment against said product for the reason that the entire appearance of the said label was calculated to deceive the purchaser into the belief that he was buying a foreign product when, in fact, said product was a domestic product and not champagne but an imitation champagne made of California wine, artificially carbonated, and the place of manufacture was not stated upon the label.

(8) August 6, 1909, shipment from the State of California into the State of Washington of 15 cases of orange curaçao which was misbranded. The product was labeled: "Orange Curaçao. E. Dubreuil and Fils. San Francisco, New York (design of lion and crown with the words "Royaume Des Pays-Bas, Je Maintiendrai) Fyne Dubb. Orange Curaçao, Likeuren." Examination of samples of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed it to be of domestic origin. The indictment charged misbranding against said product for the reason that the label was false and misleading, in that it was calculated to deceive and mislead the purchaser into the belief that the product was a foreign liquor when, in fact, said product was not a foreign liquor but was a domestic product—manufactured in the State of California, and the label did not state the place of manufacture.

On December 3, 1910, the defendant corporation pleaded guilty to each and all of the counts of said indictment, whereupon the court fined the defendant \$25 on each count, or a total of \$200.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 11, 1911.*



United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1248.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF APRICOT BRANDY; MISBRANDING OF GINGER BRANDY.

On October 28, 1910, the grand jurors of the United States in and for the Northern District of California, after presentation by the United States Attorney for said district, upon a report by the Secretary of Agriculture, returned an indictment in two counts to the United States District Court for said district against Schlesinger & Bender, a corporation, charging shipment by it, in violation of the Food and Drugs Act, on January 27, 1910, of a quantity of apricot brandy, from the State of California into the Territory of Arizona, which was adulterated and misbranded, and on September 15, 1909, of a quantity of ginger brandy, from the State of California into the District of Columbia, which was misbranded. The apricot brandy was labeled: "Extra Superfine De Luxe Marqué Déposée Apricot Brandy Cordialized Négociant Propriétaire Guaranteed Serial No. 2748." "Leon L. Moise." "This excellent tonic liqueur, when taken before or after meals, stimulates the appetite and aids digestion."

Analysis of a sample of this product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results: Specific gravity, 1.0601; alcohol (per cent by volume), 31.2 per cent; solids, 25.59 per cent; ash, 0.012 per cent; esters, as ethyl acetate (parts per 100,000), 98.7; fusel oil (parts per 100,000), 150.0; color by Lovibond $\frac{1}{2}$ " cell, 40.0; flavor and odor of esters of higher alcohols very pronounced. Adulteration was alleged in the indictment against this product for the reason that a substance, to wit, artificially flavored liqueur or cordial containing brandy, had been so mixed with said product as to reduce, lower, and injuriously affect its quality and strength, and said substance had been substituted wholly or in part for apricot brandy. Misbranding was alleged

against said product for the reason that it was represented on the label as "apricot brandy," when in fact it was not such, but a mixture of brandy and artificially flavored liqueur or cordial, which representation was false and misleading. Misbranding was further alleged for the reason that the name "Leon L. Moise" appearing on said label was false and misleading because said name was not the name of the manufacturer of said product, but was a fictitious name.

The ginger brandy was labeled: "Miller's California Golden Ginger Brandy. A sure and Rapid Cure for Cramps, Colic, Diarrhoea and Pains of Stomach and Bowels. The component of this Celebrated California Remedy is Golden Ginger Root. When mixed with alcoholic drinks it adds a delicious flavor. It is a desirable invigorative and is indispensable for family use. Schlesinger & Bender, Inc. Sole Proprietors, San Francisco, Calif. (Guaranty clause) Serial No. 2748."

Analysis of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed it to contain 21.60 per cent alcohol; solids, 7.93 per cent; ginger and capicum. Misbranding was alleged against said product for the reason that it was represented on the label as a sure and rapid cure for the various complaints set forth in said label, which representation was false and misleading, because said product did not contain ingredients that were a sure and rapid cure for the complaints so set forth. Misbranding was further alleged for the reason that the quantity of alcohol contained in the product was not declared on the label.

On December 3, 1910, the defendant corporation pleaded guilty, and was fined \$25 on each count, or a total of \$50.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 14, 1911.*

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1249.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF GRAPE JAM.

On November 1, 1910, the grand jurors in and for the Northern District of California, after presentation by the United States Attorney on a report of the Secretary of Agriculture, returned to the United States District Court for said district an indictment against the California Fruit Cannery Association, a corporation, charging shipment by it, in violation of the Food and Drugs Act, on or about November 15, 1909, from the State of California into the State of Louisiana of a quantity of grape jam which was adulterated. The product was labeled: "Cutting Packing Company, Grape Jam, Packed only from Selected Fruit, and best refined sugar. Cutting Packing Company, San Francisco, California U. S. A."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Insoluble solids, 2.75 per cent; solids, total, 66.99 per cent; nonsugar solids, 4.73 per cent; sucrose, Clerget, 21.49 per cent; reducing sugars as invert, 40.77 per cent; commercial glucose (factor 163), none; polarization direct, temperature 28° C., +8.75; polarization invert, temperature 28° C., -18.90; polarization invert 87° C., -0.8; ash, 0.66 per cent; alkalinity of ash (cc N/10 acid 100 grams) 63.8; acids, as tartaric, 0.58 per cent; salicylates, saccharin, benzoates, negative; color, natural; microscopical examination, considerable amount of molds present; sample consists of preserved white grapes." Adulteration was charged against said product because it consisted in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, as shown by the aforesaid analysis and examination.

On November 26, 1910, the defendant corporation entered a plea of guilty, and was fined \$25.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 14, 1911.*



Journal of the Proceedings of the

General Assembly of the

Province of Maryland

for the Year 1789

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By Order of the Assembly, J. D. Smith, Printer.

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United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1250.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF WHITE OATS.

On March 23, 1910, the United States Attorney for the Eastern District of Louisiana, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 300 sacks of oats in the possession of John T. Gibbons and the Langenberg Hay & Grain Co., New Orleans, La. The product was not branded or labeled in any way, but was invoiced as No. 3 white oats. The libel alleged that the oats after shipment by the Pendleton Grain Co. (Inc.), St. Louis, Mo., from the State of Missouri into the State of Louisiana, remained in the original unbroken packages and was adulterated and misbranded in violation of the Food and Drugs Act of June 30, 1906, and was therefore liable to seizure for confiscation.

Examination of samples of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed there was present in said product white oats ranging in proportion from 69.5 to 75 per cent; black oats, 2.3 per cent; barley, wheat, and other seed, 20.7 to 26.6 per cent, and inert matter from 1.6 to 2 per cent. Adulteration was alleged against said product for the reason that there had been mixed and packed with said oats a quantity of wheat, barley, and other seed, stems, hulls, chaff, and inert matter so as to reduce, lower, and injuriously affect its quality and strength, which substances had been substituted in part for said oats. Misbranding was alleged because said product was sold under the distinctive name of another article, to wit, No. 3 white oats, when the product was not such, but was a mixture of white oats, wheat, barley, and other seed, stems, hulls, chaff, and inert matter.

On May 5, 1910, the cause coming on to be heard, and answer having been filed by John T. Gibbons, and the Pendleton Grain Co., admitting the allegations of the libel and asking for the release of the product upon the payment of costs and filing of bond, in accordance with the requirements of law, the court entered a decree finding the oats adulterated and misbranded, as alleged in the libel, and condemning and forfeiting them to the United States, with the proviso, however, that the product should be released to claimants upon the payment of all costs, and giving of bonds in amounts satisfactory to the court, conditioned that the product should not be again sold contrary to law.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 14, 1911.*

INDEX TO NOTICES OF JUDGMENT 1001 TO 1250.¹

[Arranged under heads: Foods (p. 3); Beverages, including waters and medicated soft drinks (p. 6); Drugs (p. 7).]

FOODS.

	N. J. No.		N. J. No.
Alaga Alabama-Georgia sirup:		Corn meal:	
Alabama-Georgia Syrup Co.....	1187	Booth, B. D., & Co.....	1198
Almond extract. (See Extract, Almond.)		Cottonseed meal:	
Apple and sugar, Preserved peach:		Buckeye Cotton Oil Co.....	1223
St. Louis Syrup & Preserving Co.....	1038	Wells, J. Lindsay, Co.....	1109
Apple cider vinegar. (See Vinegar.)		Cream:	
Apple vinegar. (See Vinegar.)		Humm, John W.....	1210
Apples:		Johnson, A. E., jr.....	1214
Hofmann Bros. Produce Co.....	1245	Mainhart, Charles C.....	1138
Banana extract. (See Extract, Banana.)		Thompson, William M.....	1160
Black olives. (See Olives.)		Van Camp Packing Co.....	1211
Blackberry jam. (See Jam, Blackberry.)		"Creme wafels":	
Blueberries:		De Boer & Dik.....	1039
Henderson, W. S.....	1154	Crystal eggs. (See Eggs, Crystal.)	
Russell, Edward T., & Co.....	1154	Currant preserves. (See Preserves, Currant.)	
Bran, Corn:		Desiccated eggs. (See Eggs, Desiccated.)	
Bradley Bros.....	1071	Drips. (See Sirup.)	
Butter:		Egg color:	
Pond, S. P., Co. (Inc.).....	1018	Wood & Selick.....	1103
Butter, Cane and maple sugar:		Egg noodles. (See Noodles, Egg.)	
Marshalltown Syrup & Sugar Co.....	1121, 1122	Egg product:	
Butter, Wisconsin creamery. (See Oleomargarin.)		St. Louis Crystals Egg Co.....	1108
Candy:		Eggs, Crystal:	
Bradley-Smith Co.....	1244	St. Louis Crystals Egg Co.....	1100, 1102
Candy, London creams:		Eggs, Desiccated:	
Bradley-Smith Co.....	1243	Armour & Co.....	1005
Cane and maple sugar butter:		Crandall Petee Co.....	1143
Marshalltown Syrup & Sugar Co....	1121, 1122	Meyers & Hicks.....	1174
Catsup. (See Tomato ketchup.)		National Bakers Egg Co.....	1185
Cheese:		Weaver, C. H., & Co.....	1074
Algoma Produce Co.....	1002	Eggs, Frozen:	
Barber, A. H., & Co.....	1186	Bennett Howard Co.....	1116
Novato French Cheese Factory.....	1168, 1169	Kalchheim, Henry, & Co.....	1046
Stevens, S. J., & Co.....	1183	Keith, H. J., Co. (Inc.).....	1027
Wieland Bros.....	1148, 1168, 1169	Eggs, Preserved whole:	
Cherry jam. (See Jam, Cherry.)		Hipolite Egg Co.....	1043 (suppl. to 508)
Cider vinegar. (See Vinegar.)		Eggs, Shelled:	
Cinnamon extract. (See Extract, Cinnamon.)		Newman, Ad., & Son.....	1202
Cloves:		Essences. (See Extracts.)	
Whitney, Farrington.....	1204	Evaporated milk. (See Milk, Evaporated.)	
Color, Egg. (See Egg color.)		Extract, Almond:	
Color, Green cake:		California Perfume Co.....	1217
Forbes, James H., Tea & Coffee Co.....	1057	Forbes, James H., Tea & Coffee Co.....	1057
Color, Red cake:		Extract, Almond (bitter):	
Forbes, James H., Tea & Coffee Co.....	1057	Christiani Drug Co. (Inc.).....	1126
Color, Yellow cake:		Extract, Banana:	
Forbes, James H., Tea & Coffee Co.....	1057	Forbes, James H., Tea & Coffee Co.....	1057
Condensed milk. (See Milk, Condensed.)		Extract, Cinnamon:	
Corn bran. (See Bran, Corn.)		California Perfume Co.....	1217
Corn flakes, Sugar:		Extract Ginger:	
Grain Products Co.....	1042	Forbes, James H., Tea & Coffee Co.....	1057
Scudders-Gale Grocer Co.....	1042	Extract, Lemon:	
		California Perfume Co.....	1229
		Carpenter-Cook Co.....	1147

¹ For index of Notices of Judgment 1-1000, see Notice of Judgment 1000; future indexes to be supplementary thereto.

Extract Lemon—Continued.	N. J. No.	Hotch, Vermont maple butter:	N. J. No.
Christiani Drug Co. (Inc.).....	1126	Maple Tree Sugar Co.....	1164
Compton, Charles.....	1029	Ice-cream cones:	
Cook, Charles I.....	1147	Consolidated Wafer Co. (Inc.).....	1073
Dennery, Charles.....	1188	Jam, Blackberry:	
Michigan Refining & Preserving Co.....	1147	National Pickle & Canning Co. (Dodson-Braun Branch).....	1097
Extract, Orange:		Jam, Cherry:	
California Perfume Co.....	1217	California Fruit Cannery's Association....	1235
Forbes, James H., Tea & Coffee Co.....	1057	Jam, Grape:	
Extract, Peach:		California Fruit Cannery's Association....	1249
Forbes, James H., Tea & Coffee Co.....	1057	Jam, Strawberry:	
Extract, Peppermint:		California Fruit Cannery's Association....	1235
Christiani Drug Co. (Inc.).....	1126	Jelly, Fruit:	
Fleischmann-Clark Co.....	1238	Huffman, W. D.....	1207
Lyons, E. G., & Raas Co.....	1247	Indianapolis Canning Co.....	1207
Rosenblatt Co.....	1230	Scully, D. B., Syrup Co.....	1172
Extract, Pineapple:		Jelly, Raspberry:	
Forbes, James H., Tea & Coffee Co.....	1057	California Fruit Cannery's Association....	1235
Extract, Pistachio:		Ketchup. (See Tomato ketchup.)	
Western Candy & Bakers Supply Co....	1041	Lemon oil:	
Extract, Raspberry:		Heine & Co.....	1220
California Perfume Co.....	1217	London creams (candy):	
Forbes, James H., Tea & Coffee Co.....	1057	Bradley-Smith Co.....	1243
Wellman, Peck & Co.....	1212	Macaroni:	
Extract, Rose geranium:		Youngstown Mfg. Co.....	1145
Forbes, James H., Tea & Coffee Co.....	1057	Maple butter hotch, Vermont:	
Extract, Strawberry:		Maple Tree Sugar Co.....	1164
California Perfume Co.....	1217	Maple sugar:	
Forbes, James H., Tea & Coffee Co.....	1057	Brokaw Merchandise Co.....	1015
Wellman, Peck & Co.....	1212	Standard Syrup Co.....	1101
Extract, Vanilla:		Maple sugar butter, Cane and:	
Conwell, S. D., & Co.....	1216	Marshalltown Syrup & Sugar Co.....	1121, 1122
Christiani Drug Co. (Inc.).....	1126	Meal. (See Corn meal; Cottonseed meal.)	
Compton, Charles.....	1029	Middlings:	
Eddy & Eddy Mfg. Co.....	1118	Model Mill Co. (Inc.).....	1142
Manhattan Importing Co.....	1150	Milk:	
Pan American Mfg. Co.....	1158	Barnesley, George H.....	1136
Righter Mfg. Co.....	1061	Bayliss, George H.....	1137
St. Louis Coffee & Spice Mills.....	1099	Boberink, Henry A.....	1083
Star Extract Works.....	1104	Bohke, Chris.....	1083
Warner-Jenkinson Co.....	1166	Coffee, James F.....	1083
Weston, Edward, Tea & Spice Co.....	1096	Cox, James.....	1083
Extract, Vanilla and tonka:		Hildebrand, George L.....	1209
California Perfume Co.....	1217	Hudson, Leonard.....	1083
Extract Wintergreen:		Koechlin, E. J.....	1083
Christiani Drug Co. (Inc.).....	1126	McAvoy, Dan.....	1083
Feeds, Hammond dairy:		Null, Wm. C.....	1133
Western Grain Products Co.....	1094	Orme, Wm. H., jr.....	1134
Feeds, Peerless:		Oser, Charles.....	1083
Smith, J. Allen, & Co. (Inc.).....	1141	Plump, J. T.....	1083
Feeds, Peerless horse:		Regel, Henry.....	1092
Kidder, F. L., & Co.....	1176	Rounds, E. R.....	1130
Feeds. (See also Middlings; Oats.)		Schuck, A. H.....	1083
Figs:		Schuck, Jerome.....	1083
Kusykin, J., & Co.....	1246	Schulte, L. H.....	1083
Fish. (See Shad.)		Shorten, J. W.....	1129
Flavor. (See Extract.)		Smith, Charles E.....	1083
Frozen eggs. (See Eggs, Frozen.)		Smith, Howard L.....	1161
Fruit jelly. (See Jelly, Fruit.)		Thomas, Russel C.....	1236
Fruit sirups. (See Sirups.)		Walter, Chas. A.....	1132
Gelatin:		Zimmerman, Benjamin F.....	1131
Chalmers', James, Sons.....	1127, 1128	Milk, Condensed:	
Ginger extract. (See Extract, Ginger.)		Delavan Condensed Milk Co.....	1028
Grape jam. (See Jam, Grape.)		Libby, McNeill & Libby.....	1117
Hammond dairy feed:		White Hall Condensed Milk Co.....	1069
Western Grain Products Co.....	1094		
Honey:			
Deiser, Albert A., & Co.....	1123		

	N. J. No.		N. J. No.
Milk, Evaporated:		Raspberry jelly. (<i>See</i> Jelly, Raspberry.)	
Faultless Condensed Milk Co.....	1052	Raspberry sirup. (<i>See</i> Sirup, Raspberry.)	
M. & O. Milk Co.....	1114	Rice:	
Milk, Powdered:		Alliance Rice & Milling Co.....	1177
Tulin, William J.....	1033	Cormier, Chas. E., Rice Co.....	1177
Mincemeat:		Griggs, Cooper & Co.....	1177
Brenneman, W. H.....	1067	Louisiana Molasses Co.....	1030
Moyune brand extracts:		Rose geranium extract. (<i>See</i> Extract, Rose	
Forbes, James H., Tea & Coffee Co.....	1057	geranium.)	
Mushrooms:		Shad:	
Arbuckle & Co.....	1037	_____	1087
Mustard:		_____	1088
Wilde, Joseph P.....	1239	Claxton, Richard W.....	1021
Noodles, Egg:		Shelled eggs. (<i>See</i> Eggs, Shelled.)	
Maas Baking Co.....	1181	Sirup:	
Northern Ohio sugar:		Gordon Syrup & Pickle Co.....	1240
Standard Syrup Co.....	1101	Sirup, Alaga Alabama-Georgia:	
Nutmegs:		Alabama-Georgia Syrup Co.....	1187
German, Lewis, & Co.....	1180	Sirup, Orange (blood):	
Oats:		Stewart & Holmes Drug Co.....	1156
Gibbons, John T.....	1250	Sirup, Raspberry:	
Grier, T. A., & Co.....	1165	Stewart & Holmes Drug Co.....	1156
Logan, Thomas M.....	1171	Sodic aluminic sulphate:	
Pendleton Grain Co. (Inc.).....	1250	Superior Chemical Co.....	1105
Rothschild, D., Grain Co.....	1203	Strawberry extract. (<i>See</i> Extract, Straw-	
Wells, Jos. L.....	1146	berry.)	
Oil. (<i>See</i> Lemon oil; Olive oil.)		Strawberry jam. (<i>See</i> Jam, Strawberry.)	
Oleomargarin:		Sugar corn flakes:	
Steele, Jesse A.....	1115	Grain Products Co.....	1042
Wisconsin Creamery Co.....	1115	Scudders-Gale Grocer Co.....	1042
Olive oil:		Sugar, Maple. (<i>See</i> Maple sugar.)	
Carrao, Francesco.....	1155	Sugar, Northern Ohio:	
Cusimano & Tujague Co.....	1062	Standard Syrup Co.....	1101
Tujague, Leon.....	1062	Sulphate, Sodic aluminic:	
Olives:		Superior Chemical Co.....	1105
Psiaki, Alco G.....	1047, 1048	Tomato ketchup:	
Orange extract. (<i>See</i> Extract, Orange.)		Anderson Canning Co.....	1004
Orange sirup. (<i>See</i> Sirup, Orange.)		Blue Grass Canning Co.....	1195
Oysters:		Burlington Vinegar & Pickle Co.....	1003
Decker, Garrett F., & Co.....	1192	California Fruit Cannery Association.....	1235
Paprika:		Chance's, R. C., Sons.....	1006
Atlantic & Pacific Tea Co.....	1066	Edler, Fred C.....	1054
McCormick & Co.....	1153	Frazier Packing Co.....	1162, 1163, 1175
Peach, apple, and sugar, preserved:		Harbauer-Marleau Co.....	1034
St. Louis Syrup & Preserving Co.....	1038	Huss-Edler Preserve Co.....	1054
Peach extract. (<i>See</i> Extract, Peach.)		Kokoma Canning Co.....	1224
Peerless feed:		Leroux Cider & Vinegar Co.....	1095
Smith, J. Allen, & Co. (Inc.).....	1141	Lewis, Packing Co.....	1241
Peerless horse feed:		McCord-Brady Co.....	1034
Kidder, F. L., & Co.....	1176	McMechen Preserving Co.....	1080
Pepper:		National Pickle & Canning Co. (Dodson-	
Eddy & Eddy Mfg. Co.....	1118	Braun Branch).....	1072, 1098
Pepper, Cayenne:		Philadelphia Pickling Co.....	1075
Hanley & Kinsella Coffee & Spice Co....	1013	Polk, J. T., Co.....	1090
Peppermint extract. (<i>See</i> Extract, Pepper-		Pressing & Orr Co.....	1213
mint.)		Soper, A. C., & Co.....	1055
Phosphate:		Spraul, George, Packing Co.....	1044
Provident Chemical Works.....	1203	Weller, H. N., & Co.....	1196
Pineapple extract. (<i>See</i> Extract, Pineapple.)		Weller, J., Co.....	1199, 1201
Pistachio extract. (<i>See</i> Extract, Pistachio.)		Tomato ketchup, Oyster Bay Brand:	
Preserved peach, apple, and sugar:		_____	1085
St. Louis Syrup & Preserving Co.....	1038	Tomato ketchup, Pioneer Brand:	
Preserves, Currant:		_____	1086
Flacus, E. C., Co.....	1081	Tomato paste:	
Raspberry extract. (<i>See</i> Extract, Rasp-		Horner, Henry, & Co.....	1008
berry.)		Kelty, Samuel L.....	1227

Tomato paste—Continued.	N. J. No.
Polinsky, H.....	1001
Roncoroni, Pietro, Co.....	1053, 1065, 1231
Tomato pulp:	
Ayars, B. S., & Sons Co.....	1064
Lord-Mott Co.....	1107
Tomato purée:	
New Blue Grass Canning Co.....	1106
Tomato sauce:	
Gross, Ignatius, Co.....	1242
Tomatoes:	
Ayars, Clinton B., Canning Co.....	1237
Polk, J. T., Co.....	1090
Tonka extract, Vanilla and. (<i>See</i> Extract, Vanilla and tonka.)	
Vanilla extract. (<i>See</i> Extract, Vanilla.)	
Vermont maple butter hotch:	
Maple Tree Sugar Co.....	1164
Vinegar:	
.....	1036
Barrett & Barrett.....	1206
Board, Armstrong & Co.....	1023

Vinegar—Continued.	N. J. No.
Callahan, A. P., & Co.....	1151
Chandler, B. T., & Son.....	1050, 1059
Erdmann's, H., Sons.....	1184
Harbauer-Marleau Co.....	1193
Lewis Packing Co.....	1241
Louisville Cider & Vinegar Works.....	1225
Oakland Vinegar & Pickle Co.....	1060
Queen City Cider Vinegar Mfg. Co.....	1110
Sharp Elliott Mfg. Co.....	1007
Spielmann Bros. Co.....	1159, 1200
Vermont Fruit Co.....	1167
Wilson, W. J., & Son.....	1119, 1120
Zinke Mercantile Co.....	1050
"Wafels, Creme":	
De Boer & Dik.....	1039
Wheat:	
Hall Baker Grain Co.....	1135, 1173
Walker Grain Co.....	1173
Wintergreen extract. (<i>See</i> Extract, Wintergreen.)	

BEVERAGES, INCLUDING WATERS AND MEDICATED SOFT DRINKS.

	N. J. No.
Apricot brandy. (<i>See</i> Brandy, Apricot.)	
"Bernardine":	
Lyons, E. G., & Raas Co.....	1247
Blackberry cordial:	
Arrow Distilleries Co.....	1205
Lyons, E. G., & Raas Co.....	1247
Brandy Apricot:	
Schlesinger & Bender.....	1248
Brandy, Ginger:	
Schlesinger & Bender.....	1248
"Cacao, Creme de":	
Lyons, E. G., & Raas Co.....	1247
"Cassis, Creme de":	
Lyons, E. G., & Raas Co.....	1247
Champagne. (<i>See</i> Wine, Champagne.)	
Cherry soda water flavor, Special wild:	
Blue Seal Supply Co.....	1040
Coffee:	
Brokaw Merchandise Co.....	1014
Climax Coffee & Baking Powder Co.....	1017
(suppl. to 55,	
International Coffee Co.....	1190, 1191, 1233
Israel Leon & Bros.....	1084
McLaughlin, W. F. & Co.....	1112
Wilde's, Samuel, Sons Co.....	1125
Coffee essence:	
Zverina, A.....	1189
Cordial. (<i>See</i> Blackberry cordial.)	
"Creme de Cacao":	
Lyons, E. G., & Raas Co.....	1247
"Creme de Cassis":	
Lyons, E. G., & Raas Co.....	1247
Curacao, Orange:	
Lyons, E. G., & Raas Co.....	1247
Essence, Coffee. (<i>See</i> Coffee essence.)	
Gin, Mobile, Buck:	
Blumenthal & Bickert (Inc.).....	1089
Ginger ale:	
Beaufont Lithia Water Co.....	1026
Ginger brandy. (<i>See</i> Brandy, Ginger.)	
Grape juice:	
Flickinger S. M., Co.....	1045

Grape juice—Continued.	N. J. No.
Granger W. H., & Co.....	1045
Grape Products Co. (Inc.).....	1045
Plimpton, Cowan & Co.....	1045
Mobile Buck Gin:	
Blumenthal & Bickert (Inc.).....	1089
Orange curacao. (<i>See</i> Curacao, Orange.)	
Royal lithia water:	
Anderson, William H.....	1032
Sirup, Tamarind:	
Bernogozzi W. P.....	1082
Soda water flavor, Cherry:	
Blue Seal Supply Co.....	1040
Soda water sirup cola:	
Hutchinson, W. H., & Son.....	1031
Special wild cherry soda water flavor:	
Blue Seal Supply Co.....	1040
Tamarind sirup. (<i>See</i> Sirup, Tamarind.)	
Tate Spring natural mineral water:	
Tate Spring Co.....	1140
Tomlinson, Oscar R.....	1140
Water, Royal lithia:	
Anderson, William H.....	1032
Water Tate Spring natural mineral:	
Tate Spring Co.....	1140
Tomlinson, Oscar R.....	1140
Water, Whittle's epsom-lithia:	
Whittle Spring Co.....	1139
Whisky:	
McCormack, J. A.....	1111
Whittle's epsom-lithia water:	
Whittle Springs Co.....	1139
Wine:	
Dorn, John G.....	1016 (suppl. to 83)
Schmidt, A., jr. & Bros. Wine Co.....	1016
(suppl. to 83)	
Sweet Valley Wine Co.....	1016 (suppl. to 83)
Wine, Champagne:	
Bardenheier, John Wine & Liquor Co...	1144
Diamond Wine Co. (Inc.).....	1144
Finke's, A. Widow.....	1020

Wine, Champagne—Continued.	N. J. No.
Groezinger Emile A.....	1020
Lyons, E. G., & Raas Co.....	1247
Ripin & Co.....	1149

Wine, Champagne—Continued.	N. J. No.
Schraubstadter, Ernest.....	1020
Wilson Fruit Juice Co.....	1226

DRUGS.

Antikamnia tablets:	N. J. No.
Antikamnia Chemical Co.....	1056
Antimalarico, Ferro-China:	
Saunig, A., & Co.....	1222
Asthma cure, Stello's:	
Muller, William H.....	1179
Baby's Friend, Kopp's:	
Kopp, Mrs. J. A.....	1068
Bitters (Fernet Milano):	
Italian Importing Co.....	1152
Boro Pepsin, Laxative:	
Senoret Chemical Co.....	1232
Brain Restorative, Dr. Peeble's:	
Peeble's, Dr., Institute of Health (Ltd.)	1079
Cancer, Dr. Johnson's mild combination treatment for:	
Johnson, O. A.....	1058 (suppl. to 266)
Catarrh cure, Hall's:	
Cheney, F. J.....	1182
Cheney Medicine Co.....	1182
Cough drops, Williams' Russian:	
Williams, J. D., & Bro. Co.....	1197
Cerrodanie capsules:	
Cerrodanie Co.....	1025
Jameson, Samuel H.....	1025
Cherry balsam, Dr. Kennedy's:	
Kennedy, Dr. David, Co.....	1234
Chewing gum. (See Gum, chewing.)	
Cholera mixture, Sun:	
Merchants' Drug Corporation.....	1063
Coca calisaya:	
Shepard Pharmacal Co.....	1219
Cod liver oil cream, Morse's:	
Morse, Hazen.....	1221
Colocynth, Powdered:	
Woodward, Allaire, & Co.....	1012
Croup remedy, Hoxsie's:	
Kells Co.....	1218
Detchon's, Dr., relief for rheumatism:	
Detchon, I. A.....	1091
Detchon's, Dr., relief for rheumatism tablets:	
Detchon, I. A.....	1091
Dixie fever and pain powder:	
Morris-Morton Drug Co.....	1178
Epilepsy cure:	
Peeble's, Dr., Institute of Health (Ltd.)	1079
Epilepsy remedy, Dr. Lindley's:	
Hollowell, A. K.....	1093
New Vienna Medicine Co.....	1093
(Fernet Milano) bitters:	
Italian Importing Co.....	1152
Ferro-China Antimalarico:	
Saunig, A., & Co.....	1222
Fever and pain powder, Dixie:	
Morris-Morton Drug Co.....	1178
Gessler's magic headache wafers:	
Gessler, Max.....	1051
Gum, Chewing:	
Sterling Remedy Co.....	1078

Hair balsam:	N. J. No.
Wells, E. S.....	1228
Hall's catarrh cure:	
Cheney, F. J.....	1182
Cheney Medicine Co.....	1182
Headache powders, Peck's:	
Peck-Johnson Co.....	1157
Headache wafers, Gessler's magic:	
Gessler, Max.....	1051
Herculine tonic, Dr. Kennedy:	
Kennedy, Dr. David, Co.....	1234
Hoxsie's croup remedy:	
Kells Co.....	1218
Johnson's, Dr., mild combination treatment for cancer:	
Johnson, O. A.....	1058 (suppl. to 266)
Kamala, Ground:	
Woodward, Allaire & Co.....	1011
Kennedy's, Dr., cherry balsam:	
Kennedy, Dr. David, Co.....	1234
Kennedy's, Dr., Herculine tonic:	
Kennedy, Dr. David, Co.....	1234
Kennedy's, Dr., worm syrup:	
Kennedy, Dr. David, Co.....	1234
Kline's, Dr., great nerve restorer:	
Kline, Dr. R. H., Co.....	1070
Kopp's Baby's Friend:	
Kopp, Mrs. J. A.....	1068
La Sanadora:	
Romero, Benigo.....	1076
Laudanum:	
Merchants' Drug Corporation.....	1063
Laxative Boro Pepsin:	
Senoret Chemical Co.....	1232
Lindley's, Dr., epilepsy remedy:	
Hollowell, A. K.....	1093
New Vienna Medicine Co.....	1093
Moffett's, Dr., Teethina:	
Flourney, T. N.....	1019
Moffett, C. J., Medicine Co.....	1019
Morse's cream:	
Morse, Hazen.....	1221
Nerv-Tonic, Dr. Peeble's:	
Peeble's, Dr., Institute of Health (Ltd.)	1079
Nerve restorer, Dr. Kline's great:	
Kline, Dr. R. H., Co.....	1070
Nitre, Sweet spirits of:	
Merchants' Drug Corporation.....	1063
Oxidine:	
Patton-Worsham Drug Co.....	1035
Pain powder, Dixie fever and:	
Morris-Morton Drug Co.....	1178
Peck's headache powders:	
Peck-Johnson Co.....	1157
Peeble's, Dr., Brain Restorative:	
Peeble's, Dr., Institute of Health (Ltd.)	1079
Peeble's, Dr., Nerv-Tonic:	
Peeble's, Dr., Institute of Health (Ltd.)	1079
Pepsin, Laxative Boro:	
Senoret Chemical Co.....	1232

	N. J. No.		N. J. No.
Peroxid cream, A. D. S.:		Sweet's honey vermifuge:	
American Druggists Syndicate.....	1194	Van Vleet-Mansfield Drug Co.....	1113
Radio-sulpho:		Teethina, Dr. Moffett's:	
Schuch, Philip jr.....	1049	Flourney, T. N.....	1019
Radio-sulpho brew:		Moffett, C. J., Medicine Co.....	1019
Schuch, Philip, jr.....	1049	Towns', Dr., epilepsy treatment:	
Rheumatic cure:		Towns', Dr., Medical Co.....	1170
Fitch Remedy Co.....	1024	Tucker's, Dr., specific for asthma:	
Rheumatism, Dr. Detchon's relief for:		Tucker, Nathan.....	1077
Detchon, I. A.....	1091	Turpentine:	
Rheumatism tablets, Dr. Detchon's relief for:		Gilman, Z. D.....	1022
Detchon, I. A.....	1091	Pennsylvania Alcohol & Chemical Co....	1124
Senna, Alex., Powdered:		Vermifuge, Sweet's honey:	
Huber & Fuhrman Drug Mills.....	1009, 1010	Van Vleet-Mansfield Drug Co.....	1113
Stello's asthma cure:		"Vino Vito":	
Muller, William H.....	1179	American Cordial & Distilling Co.....	1215
Sun cholera mixture:		Williams' Russian cough drops:	
Merchants' Drug Corporation.....	1063	Williams, J. D., & Bro. Co.....	1197
Sweet spirits of nitre:		Worm syrup, Dr. Kennedy's:	
Merchants' Drug Corporation.....	1063	Kennedy, Dr. David, Co.....	1234

See



